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SENATE RECORD VOTES

of

SENATOR ____________________________

100th CONGRESS—2nd SESSION

FROM JANUARY 25, 1988

TO OCTOBER 21, 1988

Prepared and compiled by the
Senate Democratic Policy Committee
Robert C. Byrd, Chairman

5940-7

TABLE OF CONTENTS

Page
Chronological Index of Record Votes V
Description of each Record Vote 1
Subject Index of Record Votes 75
Index to Party Line Votes 105
Bill Number Index to Record Votes 107

CHRONOLOGICAL INDEX OF RECORD VOTES

100th Congress, 2nd Session

Vote No.		*Date 1988*
	SENATE PROCEDURE	
1	Byrd motion: Sergeant at Arms to request attendance. (73-5)	1-25
2	Byrd motion: Sergeant at Arms to request attendance. (76-15)	1-27
	CIVIL RIGHTS RESTORATION—GROVE CITY (S. 557, Vetoed, Became P.L. 100-259, without approval)	
3	Hollings motion to table Symms amendment (taking with it Nickles perfecting amendment): Repeals provision which prohibits FCC from granting waiver to rule forbidding ownership of both newspaper and television station in same community. (60-30)	1-27
4	Hatch-Thurmond amendment: Prohibits application of Act to any part of religious entity that does not receive Federal financial assistance. (36-56)	1-27
5	Thurmond amendment: Limits application of Act to only specific educational institution which receives Federal assistance within school system. (16-70)	1-27
6	Byrd motion: Sergeant at Arms to request attendance. (75-15)	1-27
7	Hatch amendment: Expands exemption to Title IX of Education Amendments of 1972 for educational institutions controlled by religious organization to also exempt any institution which is closely identified with tenets of religious organization. (39-56)	1-28
8	Weicker-Kennedy-Packwood-Metzenbaum amendment: States that no provision of Act shall be construed to force any individual or hospital receiving Federal funds to perform or pay for abortion. (55-40)	1-28
9	Danforth amendment: Amends Title IX of Education Amendments of 1972 by adding that nothing in Title shall be construed to require or prohibit any person, or entity, to provide or pay for any benefit or service, including use of facilities, related to abortion or to permit penalty to be imposed on any person or individual because he/she is seeking or has received any benefit or service related to legal abortion. (56-39)	1-28
10	Hatch substitute amendment: Provides institution-wide coverage of civil rights law in education area only; excludes from institution-wide coverage other services provided to elderly, handicapped, and minorities; expands religious school exemptions to those schools identified with tenets of particular religious organization; and limits application of Act to only specific educational institution which receives Federal assistance within school system. (19-75)	1-28
11	Humphrey amendment: Exempts "small providers" from having to make structural alterations for purpose of accessibility by handicapped, rather than exempting them from making "significant" structural alterations. (13-79)	1-28
12	Passage. (75-14)	1-28
	ILO CONVENTION NO. 144—INTERNATIONAL LABOR STANDARDS (Treaty Doc. 99-20)	
13	Adoption of resolution of ratification. (81-2)	2-1
	ILO CONVENTION NO. 147—MINIMUM STANDARDS IN MERCHANT SHIPS (Treaty Doc. 99-21)	
14	Adoption of resolution of ratification. (84-0)	2-1
	INSPECTOR GENERAL ACT AMENDMENTS (S. 908, P.L. 100-504)	
15	Passage. (85-0)	2-2
	NOMINATION OF ANTHONY M. KENNEDY TO BE ASSOCIATE JUSTICE OF SUPREME COURT	
16	Confirmation. (97-0)	2-3
	CONTRA AID (S.J. Res. 243)	
17	Byrd motion to proceed to bill. (54-43)	2-4
18	Passage. (51-48)	2-4
	CAMPAIGN FINANCING REFORM (S. 2)	
19	Byrd motion: Sergeant at Arms to request attendance. (71-18)	2-23

Vote No.		*Date 1988*
	CAMPAIGN FINANCING REFORM (S. 2)—Continued	
20	Byrd motion: Sergeant at Arms to request attendance. (57-17)	2-23
21	Byrd motion: Sergeant at Arms to request attendance. (57-21)	2-23
22	Byrd motion: Sergeant at Arms to request attendance. (47-1)	2-23
23	Byrd motion: Sergeant at Arms to arrest absent Senators and bring them to Chamber. (45-3)	2-23
24	Byrd motion: Sergeant at Arms to request attendance. (51-9)	2-23
	NOMINATION OF TOM C. KOROLOGOS TO U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY	
25	Byrd motion to proceed to executive session to consider nomination. (64-0)	2-23
	CAMPAIGN FINANCING REFORM (S. 2)	
26	Byrd motion: Sergeant at Arms to request attendance. (55-36)	2-23
27	Byrd motion: Sergeant at Arms to request attendance. (51-42)	2-23
28	Byrd motion: Sergeant at Arms to request attendance. (51-41)	2-23
29	Byrd motion to table Specter motion to reconsider Vote No. 23. (47-45)	2-23
30	Adams, et al., eighth cloture motion on committee substitute for bill. (53-41)	2-26
	COMMITTEE FUNDING (S. Res. 381)	
31	Adoption. (84-8)	2-26
	AFGHANISTAN RESOLUTION (S. Res. 386)	
32	Adoption. (77-0)	2-29
	POLYGRAPH PROTECTION (H.R. 1212, P.L. 100-247)	
33	Byrd motion to proceed to consideration of bill. (74-19)	3-1
34	Byrd motion: Sergeant at Arms to request attendance. (67-27)	3-2
35	Quayle modified amendment: Stipulates that nothing in Act precludes employer from administering scientifically valid test, other than lie detector test, to determine extent to which prospective employee may have used controlled substance. (96-0)	3-2
36	Kennedy motion to table Thurmond amendment: Permits private employer to use lie detector test on prospective security personnel. (20-76)	3-2
37	Kennedy motion to table Boschwitz amendment: Permits employer to administer lie detector test to employee who requests testing. (56-38)	3-2
38	Kennedy motion to table Gramm amendment: Permits use of lie detector tests on employees or prospective employees of any common carrier, including any air transport. (55-37)	3-2
39	Kennedy motion to table Cochran substitute amendment: Permits States that currently allow use of polygraph tests to continue usage if they satisfy testing standards established by Secretary of Labor. (65-29)	3-2
40	Kennedy motion to table Gramm amendment: Permits any employer to administer polygraph test to employee or prospective employee if test is administered in accordance with DOD procedures. (57-35)	3-2
41	Dodd motion to table Metzenbaum, et al., amendment: Expresses sense of Senate that proposed World Bank loan to Mexico for its steel industry is not in best interests of U.S. and World Bank should reject loan. (45-48)	3-2
42	Byrd, et al., cloture motion on committee substitute for bill. (77-19)	3-3
43	Passage. (69-27)	3-3

Vote No.		*Date 1988*
	INTELLIGENCE OVERSIGHT (S. 1721)	
44	Cohen motion to table McClure amendment: Permits President to withhold from Congress details of covert operation if President determines that risk of disclosure would pose additional, direct threat to life of U.S. official or if informing Congress would jeopardize cooperation of other intelligence services critical for success of operation. (65–23)	3–4
	NOMINATION OF WILLIAM F. BURNS TO BE DIRECTOR OF ACDA	
45	Confirmation. (83–0)	3–4
	OZONE DEPLETING SUBSTANCES PROTOCOL (Treaty Doc. 100–10)	
46	Byrd motion to proceed to executive session to consider Treaty. (82–1)	3–14
47	Adoption of resolution of ratification. (83–0)	3–14
	IMMIGRATION PREFERENCES (S. 2104)	
48	Simpson motion to table Bumpers amendment: Strikes section that awards immigration preference status for up to 5,000 persons who agree to invest $2 million which will create full-time employment for at least 10 citizens or permanent residents. (51–33)	3–14
	INTELLIGENCE OVERSIGHT (S. 1721)	
49	Boren, et al., cloture motion on committee substitute for bill. (73–18)	3–15
	IMMIGRATION PREFERENCES (S. 2104)	
50	Passage. (88–4)	3–15
	INTELLIGENCE OVERSIGHT (S. 1721)	
51	Cohen motion to table Chafee amendment: Changes from 48 hours to ten days deadline by which President must notify Congress that covert activity is under way. (60–32)	3–15
52	Passage. (71–19)	3–15
	PRICE-ANDERSON NUCLEAR INDEMNIFICATION (H.R. 1414, P.L. 100–408)	
53	Byrd motion: Sergeant at Arms to request attendance. (71–24)	3–16
54	Johnston-Metzenbaum modified amendment: Establishes $100,000 civil penalty for violations of any DOE regulation by nuclear contractors and criminal penalty of $25,000 and/or two years in prison for knowing and willful violations of any nuclear safety-related rule by any director, officer, or employee. (94–0)	3–16
55	Johnston motion to table Metzenbaum, et al., amendment, as amended by Bumpers perfecting amendment: Requires Attorney General to sue to recover contract award fee (profit) paid to DOE-indemnified nuclear contractor, if nuclear incident resulted from contractor's gross negligence or willful misconduct. (53–41)	3–16
56	Breaux-Burdick-Stafford amendment: Provides up to $7 billion in Federal indemnification in event of commercial nuclear power plant accident to be paid only after commercial utility has paid $7 billion in damages. (21–72)	3–16
57	Breaux amendment (as substitute for McClure amendment): Extends Act for 20 years instead of 30 years. (50–34)	3–17
58	McClure amendment (as amended by Breaux substitute amendment—Vote No. 57): Extends Act for 20 years instead of 10 years. (45–36)	3–17
59	Johnston motion to table Glenn amendment: Creates independent Defense Safety Review Board to oversee DOE health and safety practices and establishes Radiation Study Advisory Board to advise and assist DOE in researching health effects of ionizing radiation. (44–47)	3–18
60	Glenn motion to table Johnston motion to reconsider Vote No. 59. (43–48)	3–18
61	Johnston motion to reconsider Vote No. 59. (46–44)	3–18
62	Reconsideration of Vote No. 59. (48–43)	3–18
63	Johnston motion to table Glenn motion to reconsider Vote No. 62. (49–42)	3–18

Vote No.		*Date 1988*
	BERING SEA FISHING (S. Res. 396)	
64	Adoption. (78–0)	3–21
	JAPAN-U.S. AGREEMENT ON NUCLEAR ENERGY USES (S.J. Res. 241, Rejected)	
65	Byrd motion to proceed to consideration of joint disapproval resolution. (41–40)	3–21
66	Passage (rejected). (30–53)	3–21
	CIVIL RIGHTS RESTORATION—GROVE CITY (S. 557, Vetoed, Became P.L. 100-259, without approval)	
67	Reconsideration of vetoed bill. (73–24)	3–22
	HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION (S. 79)	
68	Graham, et al., cloture motion on committee substitute for bill. (33–59)	3–23
69	Graham, et al., second cloture motion on committee substitute for bill. (2–93)	3–24
70	Hollings motion to table Danforth-McConnell modified amendment (taking with it McConnell-Danforth amendment): Establishes broad, new standard of Federal tort liability that supercedes State law; alters existing standards for joint and several liability; and imposes new standard for punitive damages. (53–39)	3–24
71	Mitchell motion to table Nickles amendment (taking with it Rudman perfecting amendment): Adds provisions of S. 1894, which require reductions in annual emissions of sulfur dioxide and oxides of nitrogen in order to control acid rain. (70–22)	3–24
72	Byrd motion: Sergeant at Arms to request attendance. (58–33)	3–24
73	Murkowski perfecting amendment (to Nickles amendment): Requires GAO to prepare financial impact statement to accompany conference report on bill. (92–0)	3–24
	PANAMANIAN DEMOCRACY (S. Con. Res. 108)	
74	Adoption. (92–0)	3–25
	HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION (S. 79)	
75	Kennedy motion to table Helms amendment (taking with it Kennedy, et al., substitute amendment to require HHS to disseminate information to U.S. health, public safety, and emergency service workers concerning methods to reduce risk of AIDS infection): Requires Risk Assessment Board to designate as at risk those health and emergency care workers who risk occupational exposure to AIDS and to develop notification and medical monitoring or health counseling for these workers. (45–33)	3–25
76	Byrd motion: Sergeant at Arms to request attendance. (68–15)	3–28
77	Graham, et al., third cloture motion on committee substitute for bill. (41–44)	3–28
78	Kennedy motion to table Metzenbaum amendment (taking with it Cranston, et al., second degree amendment): Requires HHS to disseminate information to U.S. health, public safety, and emergency service workers concerning methods to reduce risk of AIDS infection. (0–86)	3–28
79	Graham, et al., fourth cloture motion on committee substitute for bill. (42–52)	3–29
	URANIUM ENRICHMENT (S. 2097)	
80	Johnston motion to table Evans-Bradley-Packwood perfecting amendment (to Johnston, et al., modified amendment): Deletes charges imposed for using foreign uranium and states sense of Congress calling for investigation of impact of uranium imports on national security and economic security interests. (47–45)	3–30
81	Passage. (62–28)	3–30
	BANKING—GLASS-STEAGALL (S. 1886)	
82	Passage. (94–2)	3–30
	CONTRA AID (H.J. Res. 523, P.L. 100-276)	
83	Passage. (87–7)	3–31

Vote No.		*Date 1988*
	PANAMA—ECONOMIC SANCTIONS (S. Res. 403)	
84	Adoption. (92-1)	3-31
	FIRST BUDGET RESOLUTION, FY 1989 (H. Con. Res. 268, Action Completed)	
85	Byrd motion to proceed to consideration of resolution. (83-0)	4-11
86	Symms, et al., perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to exclude Social Security, Highway, and Aviation Trust Funds from budget and to balance budget in five years. (85-8)	4-12
87	Stevens-McClure perfecting amendment (to Chiles, et al., amendment): States sense of Congress that Postal Service should be off budget. (85-8)	4-13
88	Chiles motion to table Gramm modified perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to take Military Retirement, Civil Service Retirement, and Unemployment Trust Funds off budget and to balance budget in five years. (45-49)	4-13
89	Chiles motion to table Gramm perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to require that Federal deficit include current value of unfunded liabilities. (53-43)	4-13
90	Domenici motion to table Chiles substitute amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to take Social Security off budget and to balance budget in five years. (70-26)	4-13
91	Specter, et al., amendment: Increases Administration of Justice Function 750 by $100 million for increased prison construction and General Government Function 800 by $25 million for increased funding for Bureau of Alcohol, Tobacco, and Firearms, offset by decreasing Allowances Function 920. (76-18)	4-13
92	DeConcini, et al., amendment: Provides for reserve fund for antidrug initiative which shall not become effective until deficit-neutral legislation has been reported and President and bipartisan leadership in Congress agree that drug threat poses dire emergency. (93-0)	4-13
93	Chiles motion to table Weicker, et al., modified amendment: Increases funding level for Health Function 550 for such programs as childhood immunization, geriatric training, and community health centers, and makes same reductions in Science, Space, and Technology Function 250, assuming such cuts in super collider program. (57-38)	4-14
94	Bentsen motion to table Armstrong, et al., amendment: Phases in indexing of basis used in computing capital gains tax by reducing estimated revenues and Community and Regional Development Function 450 funding. (66-29)	4-14
95	Adoption. (69-26)	4-14
	BAHAMAS ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 292, Rejected)	
96	Passage (rejected). (40-53)	4-14
	MEXICO ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 268)	
97	Passage. (63-27)	4-14
	LOBBYING—"REVOLVING DOOR" (S. 237)	
98	Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Strikes partial exemption for attorneys. (83-0)	4-15
99	Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Prohibits Members of Congress from affiliating with professional corporations and receiving compensation for professional services. (81-0)	4-15
100	Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Prohibits Members of Congress from converting excess campaign funds to personal use upon leaving Congress. (83-0)	4-15

Vote No.		*Date 1988*
	JAPANESE-AMERICAN INTERNMENT (H.R. 442, P.L. 100-383)	
101	Byrd motion: Sergeant at Arms to request attendance. (73-22)	4-20
102	Stevens motion to table Hecht amendment: Strikes provisions providing individual payments to U.S. citizens and resident aliens of Japanese ancestry who were interned during World War II and to compensate surviving Aleuts for losses during evacuation. (67-30)	4-20
103	Matsunaga motion to table Helms amendment: Prohibits restitution payments under Act in any year having budget deficit. (61-35)	4-20
104	Stevens motion to table Helms amendment: Prohibits restitution payments to Japanese-Americans who were interned during World War II, until Japan has fairly compensated families of persons killed at Pearl Harbor. (91-4)	4-20
105	Passage. (69-27)	4-20
	CONSTITUTIONAL AMENDMENT ON CAMPAIGN CONTRIBUTIONS (S.J. Res. 282)	
106	Gramm motion to table Gramm motion to recommit resolution to Committee, with instructions, and with substitute amendment containing provisions of Gramm substitute amendment: Proposes Constitutional amendment to require Congress to adopt balanced budget prior to each fiscal year, unless both Houses pass, by three-fifths vote, legislation permitting outlays to exceed receipts; limits rate of total receipts increase for any fiscal year to rate of GNP increase in prior year, unless Congress, by majority vote, enacts bill directly providing for increase; allows Congress to waive provisions in fiscal year in which declaration of war is in effect; makes permanent public debt limit that exists on date of ratification which shall only be increased thereafter by three-fifths vote of both Houses; and makes article effective for second fiscal year beginning after ratification. (5-90)	4-21
107	Hollings, et al., cloture motion on Hollings perfecting amendment (to Gramm motion to recommit joint resolution to Committee, with instructions) which contains provisions of resolution. (52-42)	4-21
108	Hollings, et al., second cloture motion on Hollings perfecting amendment (to Gramm motion to recommit joint resolution to Committee, with instructions) which contains provisions of resolution. (53-37)	4-22
	VETERANS' COMPENSATION FOR ATOMIC EXPOSURE (H.R. 1811, P.L. 100-321)	
109	Passage. (48-30)	4-25
	TRADE AND COMPETITIVENESS ACT (H.R. 3, Vetoed)	
110	Adoption of conference report. (63-36)	4-27
	AIDS INFORMATION AND RESEARCH (S. 1220)	
111	Helms amendment: Prohibits use of funds to provide hypodermic needles and syringes, thereby prohibiting funding for intravenous blood testing, vaccine testing, and intravenous administration of antibiotics and chemotherapy. (19-66)	4-27
112	Helms amendment: Prohibits use of funds to provide hypodermic needles or syringes to drug addicts, thereby prohibiting intravenous home health care from being provided to AIDS patients who are drug addicts. (37-59)	4-28
113	Kennedy-Hatch amendment (as substitute for Hatch-Dole amendment): Prohibits use of funds to provide hypodermic needles or syringes to individuals for use in administering illegal drugs, unless Surgeon General determines that demonstration needle exchange program would be effective in reducing drug abuse and risk of public infection with AIDS. (70-27)	4-28
114	Kennedy, et al., amendment (as substitute for Armstrong amendment): Requires Congressional Biomedical Ethics Board to report to Congress on ethical issues connected with administration of nutrition and hydration to dying patients. (60-36)	4-28

Vote No.		*Date 1988*
115	Nickles amendment: Requires routine, confidential AIDS testing of individuals convicted of felonious intravenous drug or sexual offenses. (97-0)	4-28
	IMMIGRATION AMNESTY EXTENSION (H.R. 4222)	
116	Kennedy, et al., cloture motion on motion to bring up bill. (40-56)	4-28
	AIDS INFORMATION AND RESEARCH (S. 1220)	
117	Kennedy motion to table Helms amendment (as substitute for Nickles amendment)—Vote No. 118. (22-73)	4-28
118	Helms amendment (as substitute for Nickles amendment): Prohibits use of funds to provide educational, informational, or risk reduction materials or activities to promote or encourage homosexual activity; requires such materials to emphasize abstinence from illegal intravenous drug use and from sexual activity outside a sexually monogamous marriage (including abstinence from homosexual activities); and requires Federally-funded AIDS information and education materials to provide warnings that homosexual and bisexual activities, multiple sex partners, and intravenous drug use are high risk activities for becoming infected with AIDS. (71-18)	4-28
119	Helms motion to table Kennedy-Hatch modified amendment (as substitute for Kennedy amendment): Requires education programs funded by Act to stress public health benefits of abstinence and single monogamous relationship and avoidance of illegal intravenous drug use. (29-61)	4-28
120	Passage. (87-4)	4-28
	DEFENSE AUTHORIZATION, 1989 (H.R. 4264, Vetoed)	
121	Dixon amendment: Retains current law requiring in-State purchase of alcoholic beverages for resale on military installations. (53-29)	5-9
122	Dixon, et al., modified perfecting amendment (to Dixon modified amendment, as amended): Modifies provisions creating Commission on Base Realignment and Closure. (83-13)	5-10
123	Nunn motion to table Wilson, et al., amendment: Requires any military department which constructs family housing project after October 1, 1988, to provide Federal financial assistance to affected public school districts which can show substantial increase in student enrollment. (59-33)	5-10
124	Exon motion to table Proxmire perfecting amendment (to Johnston, et al., amendment—Vote No. 125): Reduces by $700 million funding for SDI. (66-29)	5-11
125	Exon motion to table Johnston, et al., amendment: Earmarks $700 million of SDI funding to reimburse NASA for DOD's share of cost of space shuttle and station. (50-46)	5-11
126	Warner motion to table Exon motion to reconsider Vote No. 125. (47-50)	5-11
127	Byrd motion: Sergeant at Arms to request attendance. (72-23)	5-11
128	Exon motion to reconsider Vote No. 125. (48-50)	5-11
129	Nunn motion to table Bumpers, et al., amendment: Prohibits funds to overhaul, maintain, operate, or deploy any MIRVed strategic nuclear weapons launcher or platform that would cause U.S. to exceed numbers of MIRVed ICBM's, MIRVed ballistic missiles, and MIRVed strategic systems as of January 25, 1988; allows waiver if U.S. and Soviet Union have agreed to new strategic arms agreement or Soviet Union has exceeded its level. (51-45)	5-11
130	Reid motion to table Hatfield-Kennedy-Mitchell modified amendment: Imposes mutual, conditional, two-year moratorium on underground nuclear explosions with yield greater than five kilotons each. (57-39)	5-12
131	McCain motion to table Kennedy, et al., amendment: Prohibits introduction of U.S. troops into Honduras or Nicaragua for combat unless Congress has declared war or authorized their presence, or President has determined that they are necessary to protect or evacuate American citizens, or to respond to military attack. (60-37)	5-12

DEFENSE AUTHORIZATION, 1989 (H.R. 4264, Vetoed)—Continued

Vote No.		*Date 1988*
132	Gramm motion to table Heinz, et al., amendment: Strikes section permitting DOD to waive Buy America provisions for any item if cost of procurement abroad is 10 percent less than domestic cost and DOD determines that country that produces item does not impose limitations on procurement of U.S.-produced goods for its armed forces; and strikes section repealing current law requiring DOD to purchase 300,000 short tons of anthracite coal. (32–64)	5–12
133	Exon motion to table Simon-Levin amendment: Reduces funding for MX rail-garrison program by $500 million and increases funding for conventional forces. (61–36)	5–12
134	McCain motion to table Adams amendment: Prohibits use of funds to escort or convoy commercial vessels under U.S. flag but formerly owned by Kuwait or Kuwaiti nationals, or to defend commercial vessels in Persian Gulf registered under other nations' flags if Congress enacts joint resolution of disapproval within 15 days of submission by President of plan outlining presence of U.S. Armed Forces in Persian Gulf; provides that, if joint disapproval resolution is not enacted, plan shall be deemed approved by Congress and funds for Persian Gulf activities may be appropriated only in accordance with plan; and prohibits funds for U.S. Armed Forces in Persian Gulf in any future year unless Congress specifically appropriates funds for that purpose. (82–13)	5–12
135	Cohen motion to table Kennedy-Levin-Nunn amendment: Requires Navy to maintain current level of 14 deployable aircraft carriers by directing that two aircraft carriers be decommissioned 30 days after USS Abraham Lincoln and USS George Washington are commissioned. (56–37)	5–13
136	Exon motion to table Wallop, et al., amendment: Earmarks $100 million of amount authorized for SDI for deploying accidental launch protection system. (56–37)	5–13
137	Exon motion to table Levin-Johnston-Dixon amendment: Reduces funding for SDI program from $4.6 billion to $4.0 billion and increases funding for conventional defense programs. (51–43)	5–13
138	Heinz motion to table Gramm amendment: Reinstates Buy American waiver provisions struck by Vote No. 132. (53–37)	5–13
139	Wilson-Nunn-Warner, et al., amendment: Provides for drug enforcement assistance by military in form of aerial detection, law enforcement authority to make arrests, and $60 million authorization for National Guard for drug interdiction efforts. (83–6)	5–13
140	Stennis motion to table Johnston-Breaux amendment: Prohibits Secretary of Navy from limiting competition for building DDG-51 Aegis-class destroyer to two shipyard contractors to which competition is limited for three ships currently being built unless limitation will result in lower total program costs or is necessary to meet Naval cost, schedule, or performance requirements; and precludes Secretary from certifying reason for limiting competition until after receipt of all bids. (63–24)	5–16
141	Dixon motion to table Helms amendment: Prohibits funds for implementing U.S.-USSR Afghan agreement. (63–30)	5–16
142	Levin motion to table D'Amato, et al., amendment: Permits death penalty to be imposed on any person engaging in or working to further continuing criminal enterprise who intentionally kills or participates substantially in killing of individual. (27–68)	5–16
143	Helms modified amendment: Prohibits aid to Panamanian Defense Force unless President certifies that no Soviet, Cuban, or Nicaraguan armed forces are in Panama and that General Manuel Noriega has been removed from office. (95–0)	5–17
144	Dole, et al., amendment: States sense of Senate that U.S. government should not conduct negotiations or make arrangements with General Noriega which would drop drug-related indictments. (86–10)	5–17

Vote No.		*Date 1988*
	INF TREATY (Treaty Doc. No. 100-11)	
145	Pell-Lugar motion to table Helms point of order that Treaty is not in order because it is not signed by person authorized to bind Soviet State. (91-6)	5-18
146	Lugar motion to table Division I of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT I ABM Treaty. (85-11)	5-20
147	Lugar motion to table Division II of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating 1963 Limited Nuclear Test Ban Treaty. (87-10)	5-20
148	Lugar motion to table Division III of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating Biological and Chemical Weapons Bans. (86-11)	5-20
149	Lugar motion to table Division IV of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT I Interim Agreement. (82-15)	5-20
150	Lugar motion to table Division V of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT II. (89-8)	5-20
151	Exon motion to table Humphrey amendment: Treaty shall not enter into force until President certifies that stockpile of NATO ammunition and fuel has been increased from seven days to 15 days. (73-8)	5-20
152	Pell motion to table Helms amendment: Prohibits exchange of instruments of ratification until President certifies that number of SS-20 missiles possessed by Soviet Union is true. (81-13)	5-23
153	Pell motion to table Wallop modified amendment: Neither party may produce any other missile stage which is outwardly similar to, or interchangeable with, any other stage of existing type of intermediate-range ground-based launch cruise missile. (68-26)	5-23
154	Pell motion to table Humphrey amendment: Treaty shall not enter into force unless parties have also agreed to strategic nuclear arms reduction agreement. (81-5)	5-23
155	Helms amendment: Treaty may be terminated with 15 days notice if either party has provided materially misleading and false data or there has been any material breach of Treaty or its protocols. (9-89)	5-25
156	Hollings, et al., amendment: Conditions Senate's agreement to Treaty on agreement of USSR that references in Treaty to ground-launched cruise missiles (GLCM's) be deemed references only to nuclear GLCM's. (28-69)	5-25
157	Nunn-Warner-Boren, et al., amendment (as amended by Helms perfecting amendment): Clarifies that both exchange of notes in Geneva and agreed minute signed May 12 between U.S. and USSR and agreements signed on May 21, 1988, regarding Treaty's application to "futuristic" weapons and on-site inspection, shall have same force and effect as Treaty. (96-0)	5-26
158	Byrd perfecting amendment (to Committee condition): Provides that Senate's advice and consent to ratification of Treaty is subject to condition that U.S. shall interpret Treaty in accordance with common understanding of Treaty shared by President and Senate at time Senate gave its consent to ratification; and if at later time, question arises of interpretation of Treaty provision on which no common understanding was reached that provision shall be interpreted in accordance with applicable U.S. law. (72-27)	5-26
159	Bradley motion to table Helms, et al., amendment: Adds to instruments of ratification that U.S. declares that it intends to continue to negotiate START Treaty with USSR; and U.S. shall not be bound to adhere to any contemplated treaty until verification and Senate approval. (38-60) (See Vote No. 165.)	5-26
160	Byrd motion to table Wilson, et al., amendment: Provides that Senate's advice and consent to ratification of Treaty is subject to condition that U.S. shall not be bound to any interpretation of Treaty that is not equally binding on Soviet Union under applicable international law. (53-45)	5-26

Vote No.		*Date 1988*
	INF TREATY (Treaty Doc. No. 100-11)—Continued	
161	Pell-Lugar motion to table Wallop, et al., amendment: Requires President to inform Soviet Union, prior to exchanging instruments of ratification, that U.S. will consider any Soviet violation of Treaty as grounds for withdrawing from Treaty. (66-30)	5-27
162	Pell-Lugar motion to table Pressler amendment: Prohibits exchange of instruments of ratification unless President personally certifies to Senate whether Soviet Union is in full compliance with Helsinki Accords. (86-10)	5-27
163	Byrd motion to table Specter amendment: Defines term "common understanding" included in Byrd perfecting amendment (Vote No. 158) as "shared interpretation which is both authoritatively communicated to Senate by executive and clearly intended, generally understood, and relied upon by Senate in its advice and consent to ratification." (67-30)	5-27
164	Byrd motion to table Specter amendment: Adds to resolution of ratification statement that notwithstanding any provision in Byrd Condition (Vote No. 158), there is no Senate intent to change heretofore accepted constitutional law of U.S. on treaty ratification as interpreted by Supreme Court. (64-33)	5-27
165	Helms, et al., modified amendment: Adds to instruments of ratification that U.S. declares that it intends to continue to negotiate START Treaty with USSR; U.S. shall not be bound to adhere to any comtemplated treaty until ratification and Senate approval, but nothing shall imply that U.S. will take actions to make future treaty impossible. (94-4)	5-27
166	Adoption of resolution of ratification (93-5)	5-27
	FIRST BUDGET RESOLUTION, FY 1989 (H. Con. Res. 268, Action Completed)	
167	Adoption of conference report. (58-29)	6-6
	PERSIAN GULF/WAR POWERS (S.J. Res. 305)	
168	Byrd point of order that resolution is not privileged under War Powers Resolution. (54-31)	6-6
	TRADE AND COMPETITIVENESS ACT (H.R. 3, Vetoed)	
169	Reconsideration of vetoed bill. (61-37)	6-8
	MEDICARE CATASTROPHIC ILLNESS COVERAGE (H.R. 2470, P.L. 100-360)	
170	Adoption of conference report. (86-11)	6-8
	DEATH PENALTY/DRUG-RELATED KILLINGS (S. 2455)	
171	D'Amato motion to table the Levin-Evans-Danforth modified amendment (as substitute for bill): Requires mandatory life sentence without possibility of release for drug-related murder of law enforcement officer or other innocent person (in lieu of death penalty). (65-31)	6-9
172	Dole, et al., cloture motion on bill. (70-26)	6-9
	POLYGRAPH PROTECTION (H.R. 1212, P.L. 100-247)	
173	Adoption of conference report. (68-24)	6-9
	DEATH PENALTY/DRUG-RELATED KILLINGS (S. 2455)	
174	D'Amato motion to table Simon amendment: Restricts use of death penalty to drug-related killing of law enforcement officer. (66-28)	6-10
175	Passage. (65-29)	6-10
	VIETNAM WOMEN VETERANS MEMORIAL (S. 2042, P.L. 100-660)	
176	Passage. (96-1)	6-14
	LEGISLATIVE APPROPRIATIONS, 1989 (H.R. 4587, P.L. 100-458)	
177	Byrd motion to bring up bill. (89-8)	6-14
178	Passage. (78-18)	6-14
	ENERGY-WATER APPROPRIATIONS, 1989 (H.R. 4567, P.L. 100-371)	
179	Byrd motion to bring up bill. (96-2)	6-14

Vote No.		*Date 1988*
180	Chair ruling that Reid-Hecht amendment (which increases appropriation to Nevada for nuclear waste oversight responsibilities) is legislation on appropriation and out of order. (68-29)	6-14
181	Passage. (92-5)	6-15
	MILITARY CONSTRUCTION APPROPRIATIONS, 1989 (H.R. 4586, P.L. 100-447)	
182	Byrd motion to bring up bill. (97-1)	6-15
183	Sasser-Bradley-Graham amendment: States sense of Senate that, during Toronto Economic Summit, President should consult with allied leaders on impact on western security of tied and untied loans, trade credits, direct investments, joint ventures, lines of credit, and guarantees or other subsidies to Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, or Nicaragua. (96-0)	6-15
184	Passage. (93-2)	6-15
	BICENTENNIAL COIN/FSLIC MORATORIUM (H.R. 3251, P.L. 100-378)	
185	Proxmire motion to table Graham perfecting amendment (to Proxmire amendment): Permits FSLIC to establish criteria for measuring degree to which any insured institution poses risk to FSLIC's reserves and to assess an additional premium. (80-15)	6-15
186	Passage. (96-0)	6-15
	CORPORATE TAKEOVERS (S. 1323)	
187	Byrd motion to bring up bill. (79-12)	6-16
	WELFARE OVERHAUL/WORKFARE (H.R. 1720, P.L. 100-485)	
188	Moynihan motion to table Dole-Armstrong amendment: Requires that one parent in two-parent AFDC-Unemployed Parent household participate for 16 hours per week in either work supplementation or community work experience program. (41-54)	6-16
189	Passage. (93-3)	6-16
	BIOTECHNOLOGY COMPETITIVENESS (S. 1966)	
190	Passage. (88-1)	6-17
	NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1989-93 (H.R. 4418, P.L. 100-570)	
191	Passage. (88-1)	6-17
	GREAT SMOKY MOUNTAINS WILDERNESS (H.R. 1495)	
192	Sasser, et al, cloture motion on motion to bring up bill. (49-35)	6-20
	CORPORATE TAKEOVERS (S. 1323)	
193	Division I-A of Armstrong-Metzenbaum-Shelby-Gramm amendment: Prohibits golden parachutes unless approved in advance by shareholders. (98-1)	6-21
194	Proxmire motion to table Division I-B of Armstrong-Metzenbaum-Shelby-Gramm amendment: Prohibits "poison pills" (special preferred stock issue which is triggered upon takeover that has effect of diluting ownership of all other stock) unless approved by shareholders. (40-57)	6-21
	GREAT SMOKY MOUNTAINS WILDERNESS (H.R. 1495)	
195	Sanford, et al, second cloture motion on motion to bring up bill. (54-42)	6-21
	RETAIL COMPETITION ENFORCEMENT (S. 430)	
196	Byrd motion to bring up bill. (62-28)	6-21
	PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)	
197	Dole motion to table Byrd motion to bring up bill. (30-61)	6-22
198	Byrd motion to bring up bill—Vote No. 198. (64-29)	6-22
	ANTI-DRUG SUMMIT (S. Res. 442)	
199	Adoption. (94-0)	6-23

Vote No.		*Date 1988*
	PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)	
200	Byrd motion: Sergeant at Arms to request attendance. (72-20)	6-23
	IRAQI CHEMICAL WEAPONS USE (S. Res. 408)	
201	Adoption. (91-0)	6-24
	PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)	
202	Metzenbaum motion to table Quayle modified amendment: Provides complete defense for any action brought for noncompliance if employer has paid, within three weeks of shutdown or layoff, an amount equal to higher of employee's final rate of pay or final three-year average for each day for which notice was not provided. (59-31)	6-24
203	Metzenbaum motion to table Thurmond-Hatch, et al, amendment: Applies Hobbs Act (Federal extortion statute) to cases of labor violence. (60-27)	6-24
	TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989 (H.R. 4775, P.L. 100-440)	
204	Bentsen-Packwood motion to table Melcher amendment: Exempts local nonprofit senior citizen organizations that provide senior services with annual gross revenue of less than $50,000 from user fee that IRS charges for certifying that it is nonprofit and tax-exempt and offsets cost by requiring IRS to adjust fees charged to larger nonprofit organzations. (63-21)	6-24
	NOMINATION OF HENRY F. COOPER TO BE AMBASSADOR AS U.S. NEGOTIATOR FOR DEFENSE AND SPACE ARMS	
205	Confirmation. (71-0)	6-27
	TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989 (H.R. 4775, P.L. 100-440)	
206	Chair ruling that McClure amendment (which requires President to consider extent to which nation—Soviet Union—has complied with humanitarian provision in Helsinki Accords before granting Most-Favored-Nation status) is legislation on appropriations and out of order. (57-24)	6-27
207	Passage. (81-4)	6-27
	PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)	
208	Metzenbaum motion to table Kassebaum-Dole, et al, amendment (as substitute for bill): Requires 60-day notice prior to any plant closing involving employment loss of at least 50 employees and does not require notice for plant layoffs regardless of number of workers affected or duration of layoff. (64-32)	6-27
209	Metezenbaum motion to table Hatch amendment: States that nothing in Act shall require employer to serve written 60-day notice when permanently replacing person deemed to be economic striker under National Labor Relations Act. (53-37)	6-27
210	Proxmire motion to table Gramm amendment: Exempts banks and savings and loans that in judgment of FDIC or FHLBB, respectively, are in danger of closing. (63-29)	6-27
	WORK INCENTIVE (WIN) PROGRAM EXTENSION (H.R. 4731, P.L. 100-364)	
211	Passage. (97-0)	6-28
	PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)	
212	Hatch-Metzenbaum amendment: Adds language that employer is not required to serve written notice when permanently replacing economic striker provided that nothing in Act shall be deemed to validate or invalidate any judicial or administrative ruling relating to hiring of permanent replacements under National Labor Relations Act. (91-0)	6-28
213	Metzenbaum motion to table Quayle amendment: Exempts employer from requirement to serve notice if plant closing or mass layoff is due, directly or indirectly, to strike. (60-37)	6-28

Vote No.		*Date 1988*
214	Metzenbaum motion to table Domenici amendment (as substitute for bill): Eliminates requirement for 60 days notice for all mass layoffs except those caused by hostile takeovers. (62-34)	6-28
215	Hatch amendment: Adds clarification that mailing of notice to employee's last known address or inclusion in paycheck will be considered acceptable methods for giving notice of plant closing or mass layoff. (95-0)	6-28
216	Hatch modified amendment: Clarifies that employees will receive notice of plant closing or mass layoff that occurs incident to sale of business, from either seller or purchaser. (97-0)	6-28
217	Hatch amendment: Makes technical clarifications and conforms attorneys' fees provision to existing statutes. (97-0)	6-28
218	Dole amendment: Provides that no notice shall be required if plant closing or mass layoff is due to natural disaster. (95-0)	6-28
219	Metzenbaum motion to table Gramm amendment: Permits employer to close plant or lay off workers before 60-day notification period has elapsed if 50 percent of employees voluntarily terminate their employment. (59-34)	6-28
220	Byrd motion: Sergeant at Arms to request attendance. (79-18)	6-28
221	Metzenbaum, et al, cloture motion on bill. (58-39)	6-29
222	Reid, et al, second cloture motion on bill. (88-5)	7-6
223	Metzenbaum motion to table Wilson amendment: Exempts from advance notification plant closings and mass layoffs caused by inability of employer to obtain, at competitive cost, sufficient supplies of materials required in manufacturing products or in providing services. (58-37)	7-6
224	Metzenbaum motion to table Quayle amendment: Makes advance notification applicable to plant closings which result in unemployment of minimum of 75 employees and to mass layoffs which affect one-half of workforce. (63-32)	7-6
225	Passage. (72-23)	7-6

ENERGY-WATER APPROPRIATIONS, 1989 (H.R. 4567, P.L. 100-371)

226	Adoption of conference report. (91-3)	7-7

MINORITY BUSINESS DEVELOPMENT (H.R. 1807, P.L. 100-656)

227	Passage. (92-0)	7-7

FOREIGN OPERATIONS APPROPRIATIONS, 1989 (H.R. 4637, P.L. 100-461)

228	Kennedy, et al., amendment, as amended: Modifies requirement that annual report on voting practices in U.N. be developed in consultation with Congress. (93-0)	7-7
229	Inouye motion to table Humphrey amendment: Prohibits $71 million for International Bank for Reconstruction and Development (World Bank) unless loan policies are revised to reflect terms that are no more favorable than those available to American farmers. (48-41)	7-7
230	Inouye motion to table Humphrey amendment: Strikes $931.2 million for U.S. contribution to International Development Association (part of World Bank). (70-19)	7-7
231	Passage. (76-15)	7-7

D.C. APPROPRIATIONS, 1989 (H.R. 4776, P.L. 100-462)

232	Harkin motion to table Exon amendment (to Committee amendment): Prohibits Federal or D.C. funds from being used to perform abortions except in cases of rape, incest, ectopic pregnancy, and where life of mother would be endangered if fetus were carried to term. (49-37)	7-7
233	Harkin motion to table Humphrey amendment: Prohibits Federal or D.C. funds from being used to perform abortions except where life of mother would be endangered if fetus were carried to term. (51-34)	7-7

D.C. APPROPRIATIONS, 1989 (H.R. 4776, P.L. 100-462)—Continued

234 Chair ruling that Armstrong amendment (which allows educational institutions in D.C. affiliated with religious organization to deny, restrict, abridge, or condition use of any fund, service, facility, or benefit, or granting of any endorsement, approval, or recognition to any organization for, engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief) is not legislation on appropriation and is in order. (43-40) 7-8

235 Byrd motion to reconsider Vote No. 234. (42-41) 7-8

236 Armstrong amendment: Prohibits expenditure of funds under this Act after December 31, 1988, if D.C. government has not enacted law allowing educational institutions in D.C. affiliated with religious organization to deny, restrict, abridge, or condition (a) use of any fund, service, facility, or benefit, or (b) granting of any endorsement, approval, or recognition to any organization for, or engaged in promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief. (58-33) 7-11

237 Passage. (64-29) 7-11

VA JUDICIAL REVIEW (S. 11, P.L. 100-687)

238 Cranston motion to table Murkowski amendment (as substitute for bill): Permits judicial review of VA decisions concerning an individual's claim only in cases where lawfulness or interpretation of VA regulation is at issue. (61-36) 7-11

239 Passage. (86-11) 7-11

DEPARTMENT OF VETERANS AFFAIRS (H.R. 3471, P.L. 100-527)

240 Glenn motion to table Murkowski-Thurmond, et al., amendment: Permits President to appoint Secretary of Veterans Affairs but makes establishment of new Department effective January 21, 1989. (52-43) 7-11

241 Cranston motion to table Simpson amendment: Adds provisions authorizing judicial review of VA regulations and claims decisions (as passed by Senate—Vote No. 239). (83-11) 7-11

242 Passage. (84-11) 7-12

DOT APPROPRIATIONS, 1989 (H.R. 4794, P.L. 100-457)

243 Passage. (91-6) 7-12

HUD APPROPRIATIONS, 1989 (H.R. 4800, P.L. 100-404)

244 Heinz, et al., amendment: Increases UDAG funding by $30 million for recaptured total of $80 million, offset by reducing funding for National Aero-Space Plane. (34-63) 7-12

245 Moynihan-Lautenberg-Chafee amendment: Increases EPA funding by $275 million for Sewage Treatment Construction Grants, $25 million for Nonpoint Pollution Control Program, and $5 million for Wellhead Protection Program, offset by $150 million reduction for NASA. (32-64) 7-12

246 Durenberger-Moynihan amendment: Appropriates $25 million for grants to States for Nonpoint Pollution Control Program and $5 million for Wellhead Protection Program, offset by reductions for EPA salaries and expenses, control, and compliance, and R&D. (63-33) 7-12

247 Passage. (86-11) 7-13

INTERIOR APPROPRIATIONS, 1989 (H.R. 4867, P.L. 100-446)

248 Byrd, et al., amendment (to Dole, et al., amendment): States sense of Senate condemning recent actions taken by Sandinistas against internal opposition and media and expulsion of American diplomats, and states that violations of human rights in Nicaragua could cause Congress to consider providing additional humanitarian and other appropriate aid, including military aid, to Contras. (91-4) 7-13

Vote No.		*Date 1988*
249	Nickles amendment: Strikes language prohibiting Interior Department from permitting drilling on existing leases within eastern Gulf of Mexico. (37-59)	7-13
250	Passage. (92-4)	7-13
	DEFENSE AUTHORIZATION, 1989 (H.R. 4264, Vetoed)	
251	Quayle motion to recommit conference report with instructions. (35-58)	7-14
252	Adoption of conference report. (64-30)	7-14
	ENDANGERED SPECIES (H.R. 1467, P.L. 100-478)	
253	Byrd motion to proceed to bill. (78-0)	7-25
	LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783, P.L. 100-436)	
254	Weicker motion to table Helms amendment (to Committee amendment): Strikes funding for Title X, Family Planning Services. (65-21)	7-25
255	Chiles motion to table Helms amendment (to Committee amendment): Prohibits funds for Title X, Family Planning, if HHS has not promulgated regulations to prohibit provision of contraceptives to unmarried minors without prior written parental consent. (54-34)	7-25
	HUNGER PREVENTION/TEFAP (S. 2560, P.L. 100-435)	
256	Gramm amendment: Reduces funds for Temporary Emergency Food Assistance Program by an amount equal to value of any surplus commodities donated. (14-81)	7-26
257	Passage. (90-7)	7-26
	COMMERCE-STATE-JUSTICE APPROPRIATIONS, 1989 (H.R. 4782, P.L. 100-459)	
258	Dole amendment: States sense of Senate that China should halt sale of ballistic missiles to Middle East and Persian Gulf nations and endorse U.N.-sponsored international arms embargo against Iran and Iraq. (97-0)	7-27
259	Byrd motion: Sergeant at Arms to request attendance. (68-29)	7-27
260	Gramm-Cochran-Nickles: Increases funding for Drug Enforcement Administration by $58.55 million, offset by reduction for Legal Services Corporation. (28-66)	7-27
261	Passage. (80-16)	7-27
	LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783, P.L. 100-436)	
262	Germaneness of Cranston-Kennedy amendment: Prohibits any AIDS education program funded under this act from being designed to encourage, directly, intravenous drug abuse or homosexual sexual activity; and requires AIDS education programs to be designed to reduce exposure to, and transmission of, AIDS virus by providing accurate information and to provide information on health risks of promiscuous sexual activity and intravenous drug abuse. (56-41)	7-27
263	Cranston-Kennedy amendment: Prohibits any AIDS education program funded under this act from being designed to encourage, directly, intravenous drug abuse or homosexual sexual activity; and requires AIDS education programs to be designed to reduce exposure to, and transmission of, AIDS virus by providing accurate information and to provide information on health risks of promiscuous sexual activity and intravenous drug abuse. (61-37)	7-27
264	Chiles motion to table Helms modified amendment: Eliminates language of Cranston-Kennedy amendment (Vote No. 263) and prohibits any State from receiving funds for AIDS public education if State has not made a "good faith" effort to notify spouse married to AIDS-infected patient since December 31, 1976, that AIDS-infected spouse has AIDS. (49-48)	7-27
265	Weicker motion to table Cranston motion to reconsider Vote No. 264. (51-46)	7-27
266	Weicker motion to table Helms-Exon amendment (to Committee amendment): Prohibits HHS funds including Medicaid block grants to provide contraceptives or prescriptions therefor or abortion referrals at public schools. (48-45)	7-27

Vote No.		*Date 1988*
	LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783, P.L. 100-436)—Continued	
267	Weicker motion to table Helms amendment (to Committee amendment): Strikes language in bill which permits victim of rape or incest to receive Federally-funded abortion, and in lieu thereof requires HHS to promulgate regulations to prohibit AIDS information materials from promoting or encouraging directly homosexual sexual activities. (47-46)	7-27
268	Exon amendment (to Committee amendment): Makes victim of rape or incest eligible for Federally-funded abortion only if incident was reported promptly to law enforcement agency; permits payments for drugs for termination of ectopic pregnancy; and allows any State right to refuse to fund any abortion except where mother's life would be endangered if fetus were carried to term. (73-19)	7-27
269	Kennedy motion to table Humphrey modified amendment: Prohibits materials or programs funded by Act from promoting or encouraging homosexuality or using words stating that homosexuality is "normal," "natural," or "healthy." (15-82)	7-27
270	Passage. (80-16)	7-27
	ENDANGERED SPECIES (H.R. 1467, P.L. 100-478)	
271	Passage. (93-2)	7-28
	DROUGHT ASSISTANCE (H.R. 5015, P.L. 100-387)	
272	Karnes modified amendment: States sense of Senate that Congress should act before adjouning to exempt diesel fuel used for farming and fishing from Federal excise tax and to repeal application of accounting capitalization rules to farm animals ("heifer tax"). (94-0)	7-28
273	Passage. (94-0)	7-28
	NOMINATION OF TIMOTHY TOWELL TO BE AMBASSADOR TO PARAGUAY	
274	Confirmation. (88-0)	7-29
	AGRICULTURE APPROPRIATIONS, 1989 (H.R. 4784, P.L. 100-460)	
275	Byrd motion: Sergeant at Arms to request attendance. (68-20)	7-29
276	DeConcini, et al, amendment: Increases funding by $30.8 million for special supplemental food program for women, infants, and children (WIC) offset by reducing each individual appropriation item in bill by 0.7 percent except for mandatory programs. (87-4)	7-29
277	Leahy motion to table Bumpers, et al., amendment: Bases trust fund assessments of Farm Credit System member institutions on percentage of bonds actually issued by Financial Assistance Corporation rather than on Corporation's total unused bond-issuing authority. (43-45)	7-29
278	Passage. (74-8)	7-29
	FAIR HOUSING (H.R. 1158, P.L. 100-430)	
279	Helms amendment (to Kennedy, et al., substitute amendment): Clarifies that transvestites do not qualify for special treatment as "individuals with handicaps." (89-2)	8-1
280	Helms amendment (to Kennedy, et al., substitute amendment): Prohibits Supreme Court from reviewing school prayer case. (71-20)	8-1
281	Kennedy motion to table Humphrey amendment (to Kennedy-Specter, et al., substitute amendment): Prohibits provisions which affect design and construction of housing from taking effect if they increase such housing costs. (88-7)	8-2
282	Kennedy motion to table Humphrey amendment (to Kennedy-Specter, et al., substitute amendment): Limits applicability of provisions regarding handicapped accessibility in multi-unit buildings to 20 percent and requires that at least one unit per development be handicapped-accessible. (84-12)	8-2
283	Passage. (94-3)	8-2

Vote No.		*Date 1988*
	TRADE AND COMPETITIVENESS ACT (H.R. 4848, P.L. 100–418)	
284	Bentsen motion to table Durenberger, et al., amendment: Delays repeal of prohibition on Soviet fur imports until President certifies that USSR does not deny its citizens right to emigrate or that emigration practices will be relaxed and repeal of fur import prohibition will contribute to relaxed emigration practices. (64–32)	8–3
285	Bentsen-Packwood motion to table Wallop-Hecht amendment: Strikes U.S. Trade Representative authority to determine under section 301 whether foreign trade practice requires U.S. action and requires President to act. (69–26)	8–3
286	Bentsen-Packwood motion to table McClure amendment: Requires President to consider human rights record of any Helsinki Accords signator before extending Most-Favored-Nation status. (67–28)	8–3
287	Bentsen-Packwood motion to table Wallop amendment: Strikes establishment of Competitiveness Policy Council. (62–33)	8–3
288	Passage. (85–11)	8–3
	ETHANOL PRODUCTION ENROLLMENT CORRECTIONS (S. Con. Res. 135)	
289	Passage. (62–34)	8–3
	NOMINATION OF JOHN P. LAWARE TO FEDERAL RESERVE BOARD	
290	Confirmation. (90–3)	8–4
	SUPPLEMENTAL APPROPRIATIONS, 1988 (H.R. 5026, P.L. 100–393)	
291	Cranston motion to waive Budget Act to allow consideration of Cranston-DeConcini-Murkowski amendment: Provides $233.3 million to meet expenditures required by law for FY 1988 VA compensation COLA and veterans health-care entitlements. (89–5)	8–4
292	Warner amendment: Expresses sense of Senate that Congress should expeditiously pass 4.1 percent military pay raise effective January 1, 1989, and 7.0 percent raise for quarters allowance. (91–1)	8–4
	DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100–463)	
293	Byrd motion to proceed to consideration of bill. (93–0)	8–4
	CENTRAL AMERICAN ECONOMIC DEVELOPMENT (S. Con. Res. 63)	
294	Adoption. (92–3)	8–5
	DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100–463)	
295	Johnston motion to table Bradley, et al., amendment: Strikes prohibition on sale of AEGIS weapon system to Japan for integration into naval ships unless ship is U.S.-made. (20–75)	8–5
296	Johnston motion to table Wallop amendment: Increases funding for SDI R&D by transferring additional $500 million from account for NASA defense-related activities. (50–44)	8–5
	DROUGHT ASSISTANCE (H.R. 5015, P.L. 100–387)	
297	Adoption of conference report. (92–0)	8–8
	NUCLEAR REGULATION REORGANIZATION (H.R. 1315)	
298	Ford-Domenici-Johnston, et al., amendment: Substitutes government purchase program of domestic uranium in lieu of imposing fees on foreign uranium used in domestic reactors; establishes Uranium Revitalization Fund for tailings reclamation and domestic uranium purchases; capitalizes Fund from fees imposed on public utilities and domestic uranium industry and from income earned by Corporation. (78–17)	8–8
299	Passage. (89–6)	8–8
	OCEAN DUMPING REFORM (S. 2030, P.L. 100–688)	
300	Passage. (97–0)	8–9
	HUD APPROPRIATIONS, 1989 (H.R. 4800, P.L. 100–404)	
301	Adoption of conference report. (88–8)	8–9

Vote No.		*Date 1988*
	NOMINATION OF KAREN B. PHILLIPS TO ICC	
302	Confirmation. (71-24)	8-10
	DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100-463)	
303	Byrd motion: Sergeant at Arms to request attendance. (72-22)	8-10
	SUPPLEMENTAL APPROPRIATIONS, 1988 (H.R. 5026, P.L. 100-393)	
304	Byrd motion to table Dole, et al., amendment: Provides $27.4 million in humanitarian assistance to Nicaraguan Contras for civic action, and non-military training and human rights programs; authorizes immediate release of $16 million in lethal aid; authorizes exchange of more-needed lethal items for less-needed lethal items of equal value; permits President to designate CIA as mode of delivering aid; eliminates prohibition on U.S. personnel being in 20-mile zone paralleling Nicaraguan land borders; and sets forth economic incentives for Nicaraguan government to establish democracy, including termination of trade embargo and $10 million in relocation assistance for Nicaraguan Contras. (57-39)	8-10
	DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100-463)	
305	Byrd-Dodd-Boren, et al., amendment (to Byrd amendment): Provides $27 million in humanitarian aid for Contras and $5 million in medical assistance for civilian victims; requires humanitarian aid to be disbursed only by AID, OAS, or another nongovernmental organization; permits President to request release of $16.5 million of previously-appropriated lethal aid after consulting with four democratic presidents in region; and expedites consideration of such request. (49-47)	8-10
306	Nunn-Warner-Johnston amendment: Incorporates into bill by reference provisions of DOD authorization bill as passed by Senate. (90-2)	8-10
307	Johnston motion to table McCain-Glenn, et al., modified amendment (as substitute for Johnston-Nunn-Warner, et al., amendment): Strikes provisions in underlying amendment which cap U.S. military dependents overseas at 1987 level, and requires 10 percent reduction in dependents overseas by October 1, 1991. (36-59)	8-11
308	Passage. (90-4)	8-11
	ROMANIAN HUMAN RIGHTS (S. Res. 461)	
309	Adoption of resolution condemning Romania for human rights abuses, particularly its plan to raze agricultural villages in traditionally Hungarian areas. (93-0)	8-11
	NOMINATION OF RICHARD L. THORNBURGH TO BE ATTORNEY GENERAL	
310	Confirmation. (85-0)	8-11
	NUCLEAR ACCIDENT CONVENTIONS (Treaty Doc. No. 100-4)	
311	Adoption of resolution of ratification. (97-0)	9-7
	IAEA STATUTE AMENDMENTS (Treaty Doc. No. 99-7)	
312	Adoption of resolution of ratification. (97-0)	9-7
	INTERNATIONAL NATURAL RUBBER AGREEMENT (Treaty Doc. No. 100-9)	
313	Adoption of resolution of ratification. (97-0)	9-7
	TEXTILE, APPAREL, AND FOOTWEAR TRADE (S. 2662)	
314	Hollings, et al., cloture motion on bill. (68-29)	9-7
315	Hollings motion to table Gramm point of order that consideration of bill violates Constitution which requires that all revenue raising bills must originate in House. (71-24)	9-7

Vote No.		*Date 1988*
316	Hollings motion to table Packwood amendment: Makes annual import quotas on each category of textiles and textile products inapplicable if Secretary of Commerce determines that average return on assets of U.S. textile and textile product manufacturers for preceding calendar year exceeded national average return on assets of all U.S. manufacturing industries. (62–34)	9–7
317	Hollings motion to table Gramm amendment: Allows President to suspend application of import limitations if he determines they would impose proportionately greater economic burden on poor. (60–34)	9–7
318	Hollings motion to table Division L of Evans amendment: Exempts from import limitations those countries that purchased more U.S.-produced textiles and textile products than they exported to U.S. (59–31)	9–7
319	Hollings motion to table Gramm amendment: Exempts coveralls, uniforms, workshoes, and workboots from import limitation. (62–28)	9–7
320	Hollings motion to table Gramm amendment: Permits President, after consulting with USTR, to exempt from import quotas any country that imposes lower tariffs and quotas on U.S. exports than those imposed on country's exports to U.S. (68–26)	9–8
321	Cohen motion to table Packwood amendment: Exempts athletic footwear from footwear quotas. (66–28)	9–8
322	Hollings motion to table Graham amendment: Exempts Caribbean Basin Initiative countries from import limitations. (59–34)	9–8
323	Cohen motion to table Chafee amendment (as substitute for bill): Strikes nonrubber footwear from list of regulated imports. (63–26)	9–9
324	Passage. (57–32)	9–9
	PRESIDENT ZIA OF PAKISTAN (S. Res. 468)	
325	Adoption. (85–0)	9–9
	LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783, P.L. 100–436)	
326	Chiles motion to table Weicker motion to insist on Senate amendment: Makes victim of rape or incest eligible for Federally-funded abortion only if incident is reported promptly to law enforcement agency. (44–46)	9–13
327	Reconsideration of Vote No. 326. (47–43)	9–13
	NOMINATION OF NICHOLAS F. BRADY TO BE SECRETARY OF TREASURY	
328	Confirmation. (92–2)	9–14
	TEXTILE, APPAREL, AND FOOTWEAR TRADE (H.R. 1154, Vetoed)	
329	Passage. (59–36)	9–15
	MINIMUM WAGE (S. 837)	
330	Byrd motion to proceed to consideration of bill. (87–7)	9–15
	SOVIET ABM TREATY VIOLATIONS (S. Res. 474)	
331	Adoption. (81–0)	9–16
	CANADA-U.S. FREE TRADE AGREEMENT (H.R. 5090, P.L. 100–449)	
332	Passage. (83–9)	9–19
	NOMINATION OF LAURO F. CAVAZOS TO BE SECRETARY OF EDUCATION	
333	Confirmation. (94–0)	9–20
	MINIMUM WAGE (S. 837)	
334	Byrd motion: Sergeant at Arms to request attendance. (80–15)	9–22
335	Kennedy, et al., cloture motion on committee substitute amendment for bill. (53–43)	9–22
336	Kennedy, et al, second cloture motion on committee substitute amendment for bill. (56–35)	9–23
	PROMPT PAYMENTS (S. 328, P.L. 100–496)	
337	Sasser motion to table Grassley–Armstrong amendment (to House amendment): Establishes 15-member Presidential Advisory Panel for Coordination of Government Debt Collection. (54–33)	9–23

Vote No.		*Date 1988*
	COMMERCE-STATE-JUSTICE APPROPRIATIONS, 1989 (H.R. 4782, P.L. 100-459)	
338	Adoption of conference report. (77-13)	9-27
	PARENTAL LEAVE (S. 2488)	
339	Thurmond, et al., modified amendment (to second committee amendment): Clarifies that current prohibitions on advertisement of child pornography apply to computer advertisements; prohibits buying and selling children for use in child pornography; requires producers of sexually explicit material to document ages of persons appearing in material; creates new offense which prohibits certain businesspersons from receiving or possessing, with intent to sell, obscene matter which has moved in interstate or foreign commerce; makes it illegal to sell or possess obscene material or child pornography on Federal lands; increases penalty for obscene Dial-A-Porn violations; and makes it illegal to provide obscene programming on cable and subscription television services. (97-0)	9-28
	DEFENSE AUTHORIZATION, 1989 (H.R. 4481, P.L. 100-456)	
340	Adoption of conference report. (91-4)	9-28
	WELFARE OVERHAUL/WORKFARE (H.R. 1720, P.L. 100-485)	
341	Adoption of conference report. (96-1)	9-29
	FOREIGN OPERATIONS APPROPRIATIONS, 1989 (H.R. 4637, P.L. 100-461)	
342	Inouye motion to table Symms modified amendment (to House amendment to Senate amendment): Strikes six-year authorization for additional U.S. contributions to World Bank. (57-34)	9-30
343	Sanford motion to table Metzenbaum-Helms perfecting amendment (to Pell amendment): Prohibits OPIC from insuring, reinsuring, or guaranteeing (1) projects which produce exports to U.S. that directly compete with goods manufactured in U.S. unless project is located in country with annual per capita income of $984 or less; (2) any petroleum producing project or hotel project; and (3) assistance to any financial institution that is not in underdeveloped nation. (72-23)	9-30
	PARENTAL LEAVE (S. 2488)	
344	Byrd motion to table Dole motion to postpone further consideration until October 6. (52-42)	9-30
	AGRICULTURE APPROPRIATIONS, 1989 (H.R. 4784, P.L. 100-460)	
345	Adoption of conference report. (90-4)	9-30
	DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100-463)	
346	Johnston motion to table Helms, et al., amendment (to House amendment to Senate amendment): Prohibits funds to dismantle Poseidon submarines unless President has certified to Congress that USSR has dismantled Krasnoyarsk radar. (66-25)	9-30
347	Johnston motion to table Nunn perfecting amendment (to Nunn, et al., substitute amendment for Senate amendment): Strikes earmarking for nine university research projects. (35-53)	9-30
	D.C. APPROPRIATIONS, 1989 (H.R. 4776, P.L. 100-462)	
348	Nickles motion to table Bradley motion to disagree to House amendment: Prohibits District of Columbia (as well as Federal) funds from being used to perform abortions except where life of mother would be endangered if fetus were carried to term. (45-44)	9-30
	PARENTAL LEAVE (S. 2488)	
349	Reid, et al., cloture motion on Byrd motion to recommit bill to Labor Committee with instructions to report back forthwith with substitute amendment containing provisions dealing with parental leave, child pornography, and child care. (85-6)	10-3
	BERNE COPYRIGHT CONVENTION IMPLEMENTATION (H.R. 4262, P.L. 100-568)	
350	Passage. (90-0)	10-5

Vote No.		*Date 1988*
	TAX REFORM TECHNICAL CORRECTIONS (H.R. 4333, P.L. 100-647)	
351	Kennedy-Metzenbaum, et al., amendment: Exempts from individual gross income interest from U.S. savings bonds paid for college tuition and phases out tax exemption when income reaches $60,000 to $80,000. (94-0)	10-6
352	Humphrey motion to table Humphrey, et al., amendment: Denies tax-exempt status to any organization receiving more than one percent of its gross receipts from performing abortions except in cases where life of mother would be endangered if fetus were carried to term. (56-39)	10-6
353	Gramm motion to recommit bill with instructions to report back forthwith with Committee substitute amendment, as amended, with Gramm amendment: Cuts EDA, Legal Services Corporation, Amtrak, Low-Income Energy Assistance, and coal for Defense Stock Fund to fund drug program. (22-72)	10-6
354	Baucus motion to table Rudman amendment: Increases tax on cigarettes, liquor, wines, and beer to fund drug program. (60-33)	10-6
	PARENTAL LEAVE (S. 2488)	
355	Adams, et al., cloture motion on committee substitute amendment for bill. (50-46)	10-7
	TAX REFORM TECHNICAL CORRECTIONS (H.R. 4333, P.L. 100-647)	
356	DeConcini, et al., amendment: Expresses sense of Senate that Senate conferees should oppose any restrictions on use of tax-exempt bonds by nonprofit organizations building residential rental property. (88-0)	10-7
357	Evans motion to table Evans-Cranston-Durenberger modified perfecting amendment (to Cranston-Evans-Durenberger amendment): Establishes Commission on Compensation Equity to study whether wage discrimination against minority and female employees exists in the Federal pay and classification system and requires study to include both job content (comparable worth) analysis and economic analysis. (14-72) (Amendment fell when underlying amendment was withdrawn.)	10-7
358	Riegle motion to table D'Amato, et al., amendment: Increases limit on tax-free employer-provided mass transit fringe benefits from $15 per month to $38 per month offset by doubling gas guzzler tax on automobiles that achieve less than 22.5 miles per gallon. (43-41)	10-7
359	Cranston motion to table Cranston perfecting amendment (to Bradley amendment): Repeals restriction in D.C. appropriations bill that prohibits use of D.C. funds to pay for abortions except where life of mother is endangered. (40-43) (Amendment fell when underlying amendment was withdrawn.)	10-7
360	Inouye motion to table Gore amendment: Adds text of S. 889, Satellite Television Fair Marketing Act. (43-36)	10-7
361	Bumpers substitute amendment (for Warner amendment): Adds 542 acres to Manassas National Battlefield Park to protect area from development. (50-25)	10-7
362	Baucus motion to table Bradley amendment: Increases earned income tax credit for low-income individuals from 14 to 15 percent, maximum credit from $875 to $978, and income phaseout level credit from $19,400 to $19,820; and offsets $1.6 billion revenue loss by deleting most revenue-losing provisions of committee substitute. (85-2)	10-11
363	Baucus motion to table Bradley amendment: Strikes most revenue-losing provisions of Committee substitute and allocates approximately $1.6 billion to be saved over three years for drug program. (82-5)	10-11
364	Pell-Helms amendment: Imposes immediate sanctions against Iraq for use of chemical weapons that (1) prohibit export to Iraq of items on munitions control list and items controlled for national security, and (2) require U.S. to oppose international financial institution loans to Iraq. (87-0)	10-11

Vote No.		*Date 1988*
	TAX REFORM TECHNICAL CORRECTIONS (H.R. 4333, P.L. 100-647)—Continued	
365	Daschle-Dole substitute amendment (for Melcher amendment): Clarifies that 1988 crop disaster payments can be counted as income for 1989 and offsets cost by permitting U.S. to collect estate tax from foreign spouse of deceased U.S. citizen. (87-1)	10-11
366	Passage. (87-1)	10-11
	MILITARY BASE CLOSINGS (S. 2749, P.L. 100-526)	
367	Adoption of conference report. (82-7)	10-12
	DRUG ABUSE (H.R. 5210, P.L. 100-690)	
368	Hatfield-Evans-Levin-Chafee amendment: Strikes death penalty and 20-year minimum sentence for drug-related killings and substitutes therefor mandatory life sentence without possibility of parole. (25-64)	10-13
369	Kennedy amendment: Prohibits death sentence if that sentence furthers racially disproportionate pattern. (35-52)	10-13
370	D'Amato motion to table Simon amendment: Makes death penalty applicable only for drug-related killing of police officer or innocent bystander. (72-16)	10-13
371	Domenici, et al., amendment: Permits Attorney General, as alternative to criminal prosecution, to impose $10,000 civil penalty for possession of controlled substance. (88-0)	10-13
372	Gramm-Domenici amendment: Allows courts to deny Federal benefits, including means-tested benefits, to individuals convicted of drug *trafficking* for up to five years for first offense, ten years for second offense, and mandates permanent cutoff for third offense; allows courts to deny non-means-tested Federal benefits to those convicted of drug *use* for up to one year for first offense and five years for second offense; provides drug treatment program benefits if convicted addict is in long-term drug treatment program; and states that Federal benefits may *not* be denied for social security, medicare, railroad retirement, veterans' benefits, or other benefits for which payments or services are required for eligibility. (78-11)	10-14
373	Wilson, et al., amendment: Requires establishment of four-State pilot program for testing applicants for driver's license for unlawful usage of controlled substance; requires each State to deny driving privileges for one year if tests show illicit drug usage. (77-10)	10-14
374	Kerry, et al., amendment: Requires negotiations with foreign governments in attempt to require foreign banks to keep records of U.S. currency transactions in excess of $10,000, and requires President to impose appropriate penalties and sanctions against countries engaged in money laundering affecting U.S. narcotics trafficking. (85-3)	10-14
375	Metzenbaum, et al., amendment: Bans undetectable firearms (plastic guns) manufactured after March 1, 1988. (89-0)	10-14
376	Passage. (87-3)	10-14
	MONTANA WILDERNESS—UNTIED LOANS/ CONTRA AID (S. 2751, Pocket Vetoed)	
377	Symms amendment: States sense of Senate that Secretaries of State, Treasury, Defense, and Commerce should consult immediately with allied governments on impact on Western security of various types of private and public sector credit flows and debt reschedulings to Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, and Nicaragua; calls for multilateral voluntary initiative to end untied loans to these countries for both national security and prudent commercial banking reasons. (64-2)	10-18

Vote No.		*Date 1988*
378	Pell motion to table McCain modified amendment: States sense of Senate that Senate condemns continued suppression of human rights and blatant violations of Esquipulas II Accord by Sandinistas; U.S. should continue efforts to strengthen internal democratic opposition and independent media by reaffirming its support of humanitarian assistance to Contras; and continued violations of Accord will very likely result in additional military assistance to Contras. (12-54)	10-18
	VETERANS' BENEFITS (H.R. 4741)	
379	Murkowski motion to table Daschle, et al., amendment: Implements four-year test period to permit use of GI bill for commercial flight training. (15-47)	10-18

SENATE RECORD VOTES

100th Congress—2nd Session

SENATE PROCEDURE

VOTE NO. 1

Voted

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 73 (43D–30R), Nays 5 (5R), Not Voting 22 (11D–11R). January 25, 1988. \-------

VOTE NO. 2

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 76 (50D–26R), Nays 15 (15R), Not Voting 9 (4D–5R). January 27, 1988. \-------

CIVIL RIGHTS RESTORATION—GROVE CITY (S. 557)

VOTE NO. 3

Hollings motion to table the Symms amendment (taking with it the Nickles perfecting amendment No. 1382) to repeal the provision in the Continuing Appropriations Act, 1988 (P.L. 100–202) which prohibits the Federal Communication Commission from granting a waiver to the rule forbidding ownership of both a newspaper and a television station in the same community.

Motion to table agreed to. Yeas 60 (48D–12R), Nays 30 (1D–29R), Not Voting 10 (5D–5R). January 27, 1988. \-------

VOTE NO. 4

Hatch-Thurmond amendment which prohibits the application of this Act to any part of a religious entity that does not receive Federal financial assistance (thereby permitting discrimination at a geographically separate religious facility, part of which receives Federal financial assistance).

Amendment rejected. Yeas 36 (7D–29R), Nays 56 (44D–12R), Not Voting 8 (3D–5R). January 27, 1988. \-------

VOTE NO. 5

Thurmond amendment which limits the application of the Act to only the specific educational institution which receives Federal assistance within the school system (thereby permitting discrimination at one branch of a private school system while a separate branch of the same school system would continue to receive Federal funds).

Amendment rejected. Yeas 16 (16R), Nays 70 (48D–22R), Not Voting 14 (6D–8R). January 27, 1988. \-------

VOTE NO. 6

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 75 (49D–26R), Nays 15 (15R), Not Voting 10 (5D–5R). January 27, 1988. \-------

VOTE NO. 7

Hatch amendment which expands the exemption to Title IX of the Education Amendments of 1972 for educational institutions "controlled by a religious organization" if its application "would not be consistent with the religious tenets of such organization" also to exempt any institution which is "closely identified" with the tenets of a religious organization.

Amendment rejected. Yeas 39 (9D–30R), Nays 56 (43D–13R), Not Voting 5 (2D–3R). January 28, 1988. \-------

VOTE NO. 8

Weicker-Kennedy-Packwood-Metzenbaum amendment which adds the following: "no provision of this Act or amendment made by this Act shall be construed to force or require any individual or hospital or other institution, program, or activity receiving Federal funds to perform or pay for an abortion."

Amendment agreed to. Yeas 55 (41D–14R), Nays 40 (11D–29R), Not Voting 5 (2D–3R). January 28, 1988. \-------

CIVIL RIGHTS RESTORATION—GROVE CITY—Continued

VOTE NO. 9

Danforth amendment which amends Title IX of the Education Amendments of 1972 by adding: "Nothing in this Title shall be construed to require or prohibit any person, or public or private entity, to provide or pay for any benefit or service, including the use of facilities, related to an abortion. Nothing in this section shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion."

Note: This amendment supersedes the Weicker, et al., amendment—Vote No. 8.

Amendment agreed to. Yeas 56 (20D–36R), Nays 39 (32D–7R), Not Voting 4 (2D–2R), Live Pairs 1 (1R). January 28, 1988.

VOTE NO. 10

Hatch substitute amendment which provides institution-wide coverage of civil rights law in the education area only; excludes from institution-wide coverage other services provided to the elderly, handicapped, and minorities except in education; expands the religious school exemptions to those schools "identified with" the tenets of a particular religious organization; and limits the application of the Act to only the specific educational institution which receives Federal assistance within the school system (thereby permitting discrimination at one branch of a private school system while a separate branch of the same system would continue to receive Federal funds).

Amendment rejected. Yeas 19 (19R), Nays 75 (50D–25R), Not Voting 6 (4D–2R). January 28, 1988.

VOTE NO. 11

Humphrey amendment which exempts "small providers" (businesses with fewer than 15 employees and which receive Federal funds) from having to make structural alterations for the purpose of accessibility to the handicapped, rather than exempting small providers from having to make "significant" structural alterations as in the bill. (In addition, small providers are exempt under current regulations if they can refer the handicapped to a more accessible provider.)

Amendment rejected. Yeas 13 (13R), Nays 79 (49D–30R), Not Voting 8 (5D–3R). January 28, 1988.

VOTE NO. 12

Passage of the bill which reaffirms pre-*Grove City College* judicial and executive branch interpretations and enforcement practices of the four major civil rights statutes—Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975—by restoring all four statutes to the broad institution-wide application which characterize coverage and enforcement until the Supreme Court's 1984 decision in *Grove City College* v. *Bell* which severely narrowed the application of coverage of these statutes.

Amends each of the affected statutes by adding a section defining the phrase "program or activity" and "program" to make clear that discrimination is prohibited throughout entire entities if any part receives Federal financial assistance.

Contains a rule of construction which leaves intact the current exemption from coverage by the civil rights laws for "ultimate beneficiaries" of Federal financial assistance; incorporates regulatory "small providers" exceptions into the coverage provisions of section 504; and clarifies that the religious tenet exemption in Title IX extends to any activity of an entity controlled by a religious organization which would otherwise be covered by Title IX.

Provides that: "no provision of this Act or amendment made by this Act shall be construed to force or require any individual or hospital or other institution, program, or activity receiving Federal funds to perform or pay for an abortion."

Amends Title IX of the Education Amendments of 1972 by adding: "Nothing in this Title shall be construed to require or prohibit any person, or public or private entity, to provide or pay for any benefit or service, including the use of facilities, related to an abortion. Nothing in this section shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion."

Specifies that for purposes of sections 503 and 504 of the Rehabilitation Act as they relate to employment the term "individuals with handicaps" does not include an individual who has a currently contagious disease or infection and who, as a result, would constitute a direct threat to the health or safety of other individuals, or is unable to perform the duties of his/her job.

Note: See Vote No. 67 on the veto override.

Bill passed. Yeas 75 (48D–27R), Nays 14 (14R), Not Voting 11 (6D–5R). January 28, 1988. ------

ILO CONVENTION ON INTERNATIONAL LABOR STANDARDS (Treaty Doc. 99-20)

VOTE NO. 13

Adoption of the resolution of ratification of the Convention which requires members of the International Labor Organization (ILO) who ratify the convention to establish and maintain machinery to ensure effective tripartite consultations among governments, employers, and workers on ILO matters, and makes ratification subject to the declaration that there is agreement by concerned U.S. government agencies, the AFL–CIO, and the U.S. Council for International Business that each ILO convention will be examined on its merits on a tripartite basis, and any differences between the Convention and Federal law and practice will be dealt with through the normal legislative process.

Note: The Convention will become binding on the United States twelve months after the date on which it registers its ratification with the Director General of the ILO.

Resolution of ratification agreed to. Yeas 81 (44D–37R), Nays 2 (2R), Not Voting 17 (10D–7R). February 1, 1988. -------

ILO CONVENTION ON MINIMUM STANDARDS IN MERCHANT SHIPS (Treaty Doc. 99-21)

VOTE NO. 14

Adoption of the resolution of ratification of the Convention, together with five understandings, which improves employment conditions in merchant ships and expands the ability of port states that are party to the Convention to take steps to protect the health and safety of seamen manning merchant vessels in those states.

Note: The Convention will become binding on the United States twelve months after the date on which it registers its ratification with the Director General of the ILO.

Resolution of ratification agreed to. Yeas 84 (45D–39R), Nays 0, Not Voting 16 (9D–7R). February 1, 1988. -------

INSPECTOR GENERAL ACT AMENDMENTS (S. 908)

VOTE NO. 15

Passage of the bill which creates new statutory Offices of Inspector General in the Department of the Treasury (one for the Internal Revenue Service and one for the rest of the Treasury Department), the Federal Emergency Management Agency (FEMA), the Nuclear Regulatory Commission (NRC), and the Office of Personnel Management (OPM); requires other Federal entities to report annually to the Director of the Office of Management and Budget on their efforts to ensure audit and investigative coverage of their programs, operations, and personnel; standardizes Inspector General authorizing legislation; and provides uniform salaries and powers for all of the statutory Inspectors General.

Note: The Senate agreed to the conference report by voice vote on October 4, 1988.

Bill passed. Yeas 85 (45D–40R), Nays 0, Not Voting 15 (9D–6R). February 2, 1988. -------

Became Public Law 100-504.

Voted

NOMINATION OF ANTHONY M. KENNEDY TO BE AN ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

VOTE NO. 16

Confirmation of the nomination of Anthony M. Kennedy, of California, to be an Associate Justice of the Supreme Court.

Nomination confirmed. Yeas 97 (51D-46R), Nays 0, Not Voting 3 (3D). February 3, 1988. -------

CONTRA AID (S.J. Res. 243)

VOTE NO. 17

Byrd motion to proceed to consideration of the bill.

Motion to proceed agreed to. Yeas 54 (13D-41R), Nays 43 (39D-4R), Not Voting 3 (2D-1R). February 4, 1988. -------

VOTE NO. 18

Passage of the joint resolution which approves the additional authority and assistance for the Nicaraguan Democratic Resistance (Contras) as requested by the President on January 27, 1988, pursuant to H.J. Res. 395 (P.L. 100-202).

NOTE: The House companion resolution, H.J. Res. 444, was defeated by the House on February 3, 1988, by a vote of 211 to 219.

The President's request for additional assistance to the Contras totals approximately $60 million to be provided over a four-month period ending June 30, 1988. The request would be funded by a transfer from prior year DOD appropriations.

The request included $32.65 million in non-lethal assistance, $3.6 million in lethal assistance (defined as weapon systems and ammunition), and $20 million to provide self-insurance against loss or damage of leased aircraft. Additionally, DOD would be authorized to make available electronic equipment, radar, and other air defense equipment unofficially estimated at approximately $8 million.

The request included a provision that placed the $3.6 million for lethal assistance in escrow until March 31, 1988, after which the funds could be released upon the President's certification to Congress that (1) no mutually agreed upon ceasefire is in place, (2) the failure to achieve the ceasefire results from the lack of good faith efforts by the Sandinistas to comply with the Central American peace agreement, and (3) the Contras have engaged in good faith efforts to achieve a ceasefire.

The CIA's authority to administer all Contra assistance also would be extended.

Joint resolution passed. Yeas 51 (12D-39R), Nays 48 (41D-7R), Not Voting 1 (1D). February 4, 1988. -------

CAMPAIGN FINANCING REFORM (S. 2)

VOTE NO. 19

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 71 (50D-21R), Nays 18 (18R), Not Voting 11 (4D-7R). February 23, 1988. -------

VOTE NO. 20

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 57 (44D-13R), Nays 17 (17R), Not Voting 26 (10D-16R). February 23, 1988. -------

VOTE NO. 21

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 57 (44D-13R), Nays 21 (1D-20R), Not Voting 22 (9D-13R). February 23, 1988. -------

VOTE NO. 22

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 47 (47D), Nays 1 (1D), Not Voting 52 (6D-46R). February 23, 1988. -------

Voted

VOTE NO. 23

Byrd motion to instruct the Sergeant at Arms to arrest absent Senators and bring them to the Chamber.

NOTE: The last time a similar motion occurred was October 1, 1976 (Vote No. 699), during an attempt to confirm the nomination of Richard M. Bilby, of Arizona, to be a U.S. Circuit Judge, 9th Circuit. In this previous instance, Senators came to the floor and voted. In this present instance, however, the Republicans made a group decision to absent themselves from the floor and not vote as a means of further delaying substantive action on the bill without having to have their members on the floor speaking at length.

Motion for attendance agreed to. Yeas 45 (45D), Nays 3 (3D), Not Voting 52 (6D-46R). February 23, 1988. --------

VOTE NO. 24

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 51 (49D-2R), Nays 9 (9R), Not Voting 40 (5D-35R). February 24, 1988. --------

NOMINATION OF TOM C. KOROLOGOS TO THE COMMISSION ON PUBLIC DIPLOMACY

VOTE NO. 25

Byrd motion to proceed to executive session to consider the nomination of Tom C. Korologos, of Virginia, to be a Member of the U.S. Advisory Commission on Public Diplomacy.

NOTE: Following the motion to proceed, the nomination was confirmed by voice vote.

Motion to proceed agreed to. Yeas 64 (49D-15R), Nays 0, Not Voting 36 (5D-31R). February 24, 1988. --------

CAMPAIGN FINANCING REFORM (S. 2)

VOTE NO. 26

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 55 (50D-5R), Nays 36 (36R), Not Voting 9 (4D-5R). February 24, 1988. --------

VOTE NO. 27

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 51 (50D-1R), Nays 42 (42R), Not Voting 7 (4D-3R). February 24, 1988. --------

VOTE NO. 28

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 51 (50D-1R), Nays 41 (41R), Not Voting 8 (4D-4R). February 24, 1988. --------

VOTE NO. 29

Byrd motion to table the Specter motion to reconsider Vote No. 23 by which the Senate agreed to instruct the Sergeant at Arms to arrest absent Senators and bring them to the Chamber.

M. Yeas 47 (47D), Nays 45 (2D-43R), Not Voting 8 (5D-3R). February 25, 1988. --------

VOTE NO. 30

Adams, et al., eighth motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 53 (50D-3R), Nays 41 (2D-39R), Not Voting 6 (2D-4R). February 26, 1988. --------

COMITTEE FUNDING (S. Res. 381)

VOTE NO. 31

Adoption of the resolution which authorizes $47.9 million for expenditures of all Standing Committees of the Senate, the Special Committee on Aging, and the Select Committees on Intelli-

Voted

COMITTEE FUNDING—Continued

gence and Indian Affairs for the fiscal year ending February 28, 1989.

Resolution agreed to. Yeas 84 (50D–34R), Nays 8 (8R), Not Voting 8 (4D–4R). February 26, 1988. -------

AFGHANISTAN RESOLUTION (S. Res. 386)

VOTE NO. 32

Adoption of the resolution which expresses the belief of the Senate that: the only acceptable settlement of the Afghan situation is one which provides for the Afghan people's self-determination; the Pakistani government should not be pressured to agree to Soviet terms for a settlement; all Soviet bloc advisers should leave Afghanistan during the troop withdrawal; and the U.S. should not diminish aid to the Afghan resistance until it is certain that the Soviets have terminated their military occupation, are not positioned for a new invasion, and that the Afghan resistance is well enough equipped to maintain its integrity during the transition government leading up to new elections; expresses support for a U.N.-sponsored peacekeeping force while an interim government organizes the nation's future and for increased U.S. humanitarian aid to the Afghan people; and urges the President to address certain issues relating to Afghanistan during talks with the Soviets.

Resolution agreed to. Yeas 77 (39D–38R), Nays 0, Not Voting 23 (15D–8R). February 29, 1988. -------

POLYGRAPH PROTECTION (H.R. 1212)

VOTE NO. 33

Byrd motion to proceed to the consideration of the bill.

Motion to proceed agreed to. Yeas 74 (50D–24R), Nays 19 (19R), Not Voting 7 (4D–3R). March 1, 1988. -------

VOTE NO. 34

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 67 (48D–19R), Nays 27 (1D–26R), Not Voting 6 (5D–1R). March 2, 1988. -------

VOTE NO. 35

Quayle modified amendment which stipulates that nothing in this Act precludes an employer from administering a scientifically valid test, other than a lie detector test, to determine the extent to which a prospective employee may have used a controlled substance.

Amendment agreed to. Yeas 96 (51D–45R), Nays 0, Not Voting 4 (3D–1R). March 2, 1988. -------

VOTE NO. 36

Kennedy motion to table the Thurmond amendment which permits a private employer to use a lie detector on prospective employees if the employer's primary business is providing armored car personnel; personnel engaged in the design, installation, and maintenance of security alarm systems; or other security personnel whose function includes the protection of: electric or nuclear power facilities, public water supplies, the shipment or storage of toxic or nuclear waste, public transportation, or currency, negotiable securities, precious commodities, instruments or proprietary information.

NOTE: Subsequently, the amendment, as amended by a Nickles amendment, was agreed to by voice vote.

Motion to table failed. Yeas 20 (13D–7R), Nays 76 (38D–38R), Not Voting 4 (3D–1R). March 2, 1988. -------

VOTE NO. 37

Kennedy motion to table the Boschwitz amendment which permits an employer to administer a lie detector test to an employee who requests to be tested.

Motion to table agreed to. Yeas 56 (42D–14R), Nays 38 (7D–31R), Not Voting 6 (5D–1R). March 2, 1988. -------

Voted

VOTE NO. 38

Kennedy motion to table the Gramm amendment which permits the use of lie detector tests on employees or prospective employees of any common carrier, including any air transportation or other common carrier engaged in the hauling of passengers or freight.

Motion to table agreed to. Yeas 55 (40D-15R), Nays 37 (7D-30R), Not Voting 8 (7D-1R). March 2, 1988. -------

VOTE NO. 39

Kennedy motion to table the Cochran substitute amendment which permits States that currently allow the use of polygraph tests to continue that usage if they satisfy testing standards established by the Secretary of Labor.

Motion to table agreed to. Yeas 65 (44D-21R), Nays 29 (5D-24R), Not Voting 6 (5D-1R). March 2, 1988. -------

VOTE NO. 40

Kennedy motion to table the Gramm amendment which permits any employer to administer a polygraph test to an employee or prospective employee if the test is administered in accordance with DOD procedures.

Motion to table agreed to. Yeas 57 (40D-17R), Nays 35 (8D-27R), Not Voting 8 (6D-2R). March 2, 1988. -------

VOTE NO. 41

Dodd motion to table the Metzenbaum, et al., amendment which expresses the sense of the Senate that the proposed World Bank loan to Mexico for its steel industry is not in the best interests of the U.S. or of Mexico's own economic revitalization, and the World Bank should reject the loan.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 45 (28D-17R), Nays 48 (20D-28R), Not Voting 7 (6D-1R). March 2, 1988. -------

VOTE NO. 42

Byrd, et al., motion to close further debate on the committee substitute for the bill.

Cloture motion agreed to. Yeas 77 (51D-26R), Nays 19 (19R), Not Voting 4 (3D-1R). March 3, 1988. -------

VOTE NO. 43

Passage of the bill which prohibits polygraph examinations by the private sector, except under limited specified circumstances; and expresses the sense of the Senate that the proposed World Bank loan to Mexico for its steel industry is not in the best interest of the U.S. or Mexico's own economic revitalization, and the World Bank should reject the loan.

NOTE: See Vote No. 173 on the conference report.

Bill passed. Yeas 69 (50D-19R), Nays 27 (1D-26R), Not Voting 4 (3D-1R). March 3, 1988. -------

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INTELLIGENCE OVERSIGHT (S. 1721)

VOTE NO. 44

Cohen motion to table the McClure amendment which permits the President to withhold from Congress the details of a covert operation if the President determines that the risk of disclosure would pose an additional, direct threat to the life of a U.S. official or if informing Congress would jeopardize the cooperation of other intelligence services critical for the success of the operation; directs the President, if he so makes this determination, to inform the joint leadership of the House and Senate Intelligence Committees that a "special activity" is being conducted, but does not require disclosure of further details; and requires the President on a weekly basis to personally reconsider his determination and inform those members of Congress if he is still withholding all details.

Motion to table agreed to. Yeas 65 (45D-20R), Nays 23 (2D-21R), Not Voting 12 (7D-5R). March 4, 1988. -------

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Voted

NOMINATION OF WILLIAM F. BURNS TO BE DIRECTOR OF ACDA

VOTE NO. 45

Confirmation of the nomination of William F. Burns, of Pennsylvania, to be director of the U.S. Arms Control and Disarmament Agency.

Nomination confirmed. Yeas 83 (43D-40R), Nays 0, Not Voting 17 (11D-6R). March 4, 1988. -------

OZONE DEPLETING SUBSTANCES PROTOCOL
(Treaty Doc. 100-10)

VOTE NO. 46

Byrd motion to proceed to executive session to consider the Treaty.

Motion to proceed agreed to. Yeas 82 (43D-39R), Nays 1 (1R), Not Voting 17 (11D-6R). March 14, 1988. -------

VOTE NO. 47

Adoption of the resolution of ratification of the Protocol which provides for internationally coordinated control of ozone-depleting substances in order to protect public health and the environment from potential adverse effects of depletion of stratospheric ozone. The principal features of the Protocol are an obligation to limit (1) consumption by (a) freezing at the 1986 levels annual consumption of certain chlorofluorocarbons within seven months after the Protocol has entered into force and of certain halons within three years after entry into force, (b) long-term scheduled reductions of 20 percent by 1994 and 50 percent by 1999 of chlorofluorocarbon annual consumption, and (c) periodic assessments of the control provisions based upon scientific, environmental, technical, and economic information; and (2) production of ozone-depleting substances and restriction of trade in controlled substances with non-party States.

NOTE: The Protocol will enter into force on January 1, 1989, if eleven countries representing at least two-thirds of global consumption have ratified the agreement, or if this condition has not been met, ninety days after it has been met.

Resolution of ratification agreed to. Yeas 83 (42D-41R), Nays 0, Not Voting 17 (12D-5R). March 14, 1988. -------

IMMIGRATION PREFERENCE REFORM (S. 2104)

VOTE NO. 48

Simpson motion to table the Bumpers amendment to strike the section that awards an immigration preference status for up to four percent of the total immigration level or 5,000 persons, whichever is greater, who agree to invest a minimum of $2 million in the U.S. which will create full-time employment for at least 10 U.S. citizens or lawfully-admitted permanent residents.

NOTE: Subsequently, a Gramm amendment that changed the $2 million minimum investment to $1 million was adopted by voice vote.

Motion to table agreed to. Yeas 51 (15D-36R), Nays 33 (29D-4R), Not Voting 16 (10D-6R). March 14, 1988. -------

INTELLIGENCE OVERSIGHT (S. 1721)

VOTE NO. 49

Boren, et al., motion to close further debate on the committee substitute for the bill.

Cloture motion agreed to. Yeas 73 (47D-26R), Nays 18 (1D-17R), Not Voting 9 (6D-3R). March 15, 1988. -------

IMMIGRATION PREFERENCE REFORM (S. 2104)

VOTE NO. 50

Passage of the bill which amends the Immigration and Nationality Act to create two separate immigrant-visa "preference sytems" for admission of immigrants into the U.S.: one for close family members and one for "independent" immigrants, as recommended by the Select Committee on Immigration and Refugee Policy; establishes a three-year national level of immigration for all immigration categories of 590,000; and provides for administrative naturalization in order to address the existing backlog in applications.

Bill passed. Yeas 88 (47D-41R), Nays 4 (1D-3R), Not Voting 8 (6D-2R). March 15, 1988. --------

INTELLIGENCE OVERSIGHT (S. 1721)

VOTE NO. 51

Cohen motion to table the Chafee amendment which changes, from 48 hours to ten days, the deadline by which the President must notify Congress that a covert activity is under way.

Motion to table agreed to. Yeas 60 (44D-16R), Nays 32 (4D-28R), Not Voting 8 (6D-2R). March 15, 1988. --------

VOTE NO. 52

Passage of the bill which clarifies the legal requirements for congressional oversight of intelligence activities, including special activities, and specifies the procedures for the authorization of special activities within the executive branch which is based on the procedures pertaining to covert operations contained in the presidential directive (NSDD 286) and certain recommendations of the Iran-Contra Committees as contained in their conclusion in the "Covert Action in a Democratic Society" chapter of their final report.

Bill passed. Yeas 71 (45D-26R), Nays 19 (2D-17R), Not Voting 10 (7D-3R). March 15, 1988. --------

PRICE-ANDERSON NUCLEAR INDEMNIFICATION (H.R. 1414)

VOTE NO. 53

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 71 (48D-23R), Nays 24 (1D-23R), Not Voting 5 (5D). March 16, 1988. --------

VOTE NO. 54

Johnston-Metzenbaum modified amendment which establishes a civil penalty of up to $100,000 per day for violations by nuclear contractors of any DOE rule, regulation, or order and a criminal penalty of up to $25,000 and/or two years in prison for knowing and willful violations of any nuclear safety-related rule by any director, officer, or employee.

Amendment agreed to. Yeas 94 (49D-45R), Nays 0, Not Voting 6 (5D-1R). March 16, 1988. --------

VOTE NO. 55

Johnston motion to table the Metzenbaum, et al., amendment (as amended by a Bumpers perfecting amendment) which requires the Attorney General to sue on behalf of the U.S. government to recover the contract award fee (profit) paid to any DOE nuclear contractor indemnified by this Act, if the nuclear incident resulted from the contractor's gross negligence or willful misconduct. (Universities are exempted from this provision.)

Motion to table agreed to. Yeas 53 (18D-35R), Nays 41 (31D-10R), Not Voting 6 (5D-1R). March 16, 1988. --------

VOTE NO. 56

Breaux-Burdick-Stafford amendment which provides up to $7 billion in Federal indemnification in the event of a commercial nuclear power plant accident (the same coverage that applies to DOE facilities) to be paid only after the commercial utility has paid $7 billion in damages from its own insurance fund.

Amendment rejected. Yeas 21 (20D-1R), Nays 72 (29D-43R), Not Voting 7 (5D-2R). March 16, 1988. --------

VOTE NO. 57

Breaux substitute amendment (for the McClure amendment) which extends the indemnification authority under the Price-Anderson Act for 20 years and requires the Secretary of Energy

PRICE-ANDERSON NUCLEAR INDEMNIFICATION—Continued

to report to Congress by August 1, 1993, and August 1, 2003, on the need for modifications to the Act.

NOTE: The McClure amendment would extend the Act for 30 years whereas the bill as reported would extend it for 10 years.

Amendment agreed to. Yeas 50 (23D–27R), Nays 34 (20D–14R), Not Voting 16 (11D–5R). March 17, 1988. -------

VOTE NO. 58

McClure amendment, (as amended by the Breaux substitute—Vote No. 57), which extends the Price-Anderson Act for 20 years and requires the Secretary of Energy to report to Congress by August 1, 1993, and August 1, 2003, on the need for modifications to the Act.

NOTE: The underlying bill would extend the Act for 10 years.

Amendment agreed to. Yeas 45 (20D–25R), Nays 36 (21D–15R), Not Voting 19 (13D–6R). March 17, 1988. -------

VOTE NO. 59

Johnston motion to table the Glenn-Roth amendment which creates an independent Defense Safety Review Board to oversee DOE health and safety practices; places DOE under OSHA coverage to regulate and inspect DOE worker conditions; and establishes a Radiation Study Advisory Board to advise and assist DOE in researching the health effects of ionizing radiation.

Motion to table failed. Yeas 44 (17D–27R), Nays 47 (32D–15R), Not Voting 9 (5D–4R). March 18, 1988. -------

VOTE NO. 60

Glenn motion to table the Johnston motion to reconsider Vote No. 59.

Motion to table failed. Yeas 43 (30D–13R), Nays 48 (19D–29R), Not Voting 9 (5D–4R). March 18, 1988. -------

VOTE NO. 61

Johnston motion to reconsider Vote No. 59 by which the Senate failed to table the Glenn-Roth amendment.

Motion to reconsider agreed to. Yeas 46 (19D–27R), Nays 44 (30D–14R), Not Voting 10 (5D–5R). March 18, 1988. -------

VOTE NO. 62

Reconsideration of the Johnston motion to table the Glenn-Roth amendment—Vote No. 59.

Motion to table agreed to. Yeas 48 (20D–28R), Nays 43 (29D–14R), Not Voting 9 (5D–4R). March 18, 1988. -------

VOTE NO. 63

Johnston motion to table the Glenn motion to reconsider Vote No. 62 by which the Senate, upon reconsideration, tabled the Glenn-Roth amendment.

Motion to table motion to reconsider agreed to. Yeas 49 (20D–29R), Nays 42 (29D–13R), Not Voting 9 (5D–4R). March 18, 1988. -------

BERING SEA FISHING (S. Res. 396)

VOTE NO. 64

Adoption of the resolution expressing the sense of the Senate that the Secretary of State should initiate negotiations with the Soviet Union to achieve a bilateral agreement which establishes a moratorium on all fishing in the international waters of the Bering Sea and sets forth measures that the two nations will take against other nations that do not abide by the moratorium, and, following establishment of the moratorium, should initiate negotiations to achieve a multilateral agreement establishing a fishery management regime for these international waters; and specifies that both agreements should include language that clearly recognizes that they were executed for the sole purpose of fishery conservation and in no way impose any unlawful restrictions on the international recognized rights and freedom of vessel transit.

Resolution agreed to. Yeas 78 (42D–36R), Nays 0, Not Voting 22 (12D–10R). March 21, 1988. -------

Voted

JAPAN-U.S. AGREEMENT ON NUCLEAR ENERGY USES (S.J. Res. 241)

VOTE NO. 65

Byrd motion to proceed to the consideration of the joint resolution disapproving the proposed Agreement for Cooperation Between Japan and the U.S. Concerning Peaceful Uses of Nuclear Energy which would permit Japan to transfer U.S.-controlled spent fuel through U.S. airspace and reprocess the fuel and use the recovered plutonium for the next 30 years without requiring further U.S. approval.

Motion to proceed agreed to. Yeas 41 (38D-3R), Nays 40 (4D-36R), Not Voting 19 (12D-7R). March 21, 1988. -------

VOTE NO. 66

Passage (rejected) of the joint resolution disapproving the proposed Agreement for Cooperation Between Japan and the U.S. Concerning Peaceful Uses of Nuclear Energy which would permit Japan to transfer U.S.-controlled spent fuel through U.S. airspace and reprocess the fuel and use the recovered plutonium for the next 30 years without requiring further U.S. approval.

Joint resolution defeated. Yeas 30 (22D-8R), Nays 53 (20D-33R), Not Voting 17 (12D-5R). March 21, 1988. -------

CIVIL RIGHTS RESTORATION—GROVE CITY (S. 557)

VOTE NO. 67

Reconsideration of the vetoed bill which reaffirms pre-*Grove City College* judicial and executive branch interpretations and enforcement practices of the four major civil rights statutes—Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975—by restoring all four statutes [illegible] the broad institution-wide application which characterized coverage and enforcement until the Supreme Court's 1984 decision in *Grove City College* v. *Bell* which severely narrowed the application of coverage of these statutes.

NOTE: See Vote No. 12 for major provisions of the bill.

President Reagan vetoed the bill on March 16, 1988. In his veto message, the President stated that this legislation would vastly and unjustifiably expand Federal power over the decisions and affairs of private organizations, such as churches and synagogues, farms, businesses, and State and local governments and would place at risk such cherished values as religious liberty. He also objected to the cost and burdens of compliance which he stated would be substantial.

Veto overridden. Yeas 73 (52D-21R), Nays 24 (24R), Not Voting 3 (2D-1R). March 22, 1988. -------

Became Public Law 100-259, without approval.

HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION (S. 79)

VOTE NO. 68

Graham, et al., motion to close further debate on the committee amendment in the nature of a substitute for the bill.

Cloture motion rejected. Yeas 33 (31D-2R), Nays 59 (16D-43R), Not Voting 8 (7D-1R). March 23, 1988. -------

VOTE NO. 69

Graham, et al., second motion to close further debate on the committee amendment in the nature of a substitute for the bill.

Cloture motion rejected. Yeas 2 (2D), Nays 93 (47D-46R), Not Voting 5 (5D). March 24, 1988. -------

VOTE NO. 70

Hollings motion to table the Danforth-McConnell modified amendment (taking with it a McConnell-Danforth amendment) which together establish a broad, new standard of Federal tort liability that supersedes all State law on the subject; alter existing standards for joint and several liability; and impose a new standard for punitive damages.

Motion to table agreed to. Yeas 53 (46D-7R), Nays 39 (2D-37R), Not Voting 8 (6D-2R). March 24, 1988. -------

Voted

HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION—Continued

VOTE NO. 71

Mitchell motion to table the Nickles amendment (taking with it a Rudman perfecting amendment) which together add to the bill the provisions of Title II of S. 1894, requiring reductions in the annual emissions of sulfur dioxide and oxides of nitrogen in order to control acid rain.

Motion to table agreed to. Yeas 70 (49D–21R), Nays 22 (22R), Not Voting 8 (5D–3R). March 24, 1988. -------

VOTE NO. 72

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 58 (48D–10R), Nays 33 (1D–32R), Not Voting 9 (5D–4R). March 24, 1988. -------

VOTE NO. 73

Murkowski perfecting amendment (to the Nickles amendment) requiring GAO to prepare a financial impact statement to accompany the conference report on this bill, before it can become effective, which would estimate any increased savings and costs to the private sector, and Federal, State, and local governments, and the annual effect on consumers and business, national employment, the U.S.' ability to compete internationally, and State and local governments.

Amendment agreed to. Yeas 92 (49D–43R), Nays 0, Not Voting 8 (5D–3R). March 24, 1988. -------

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PANAMANIAN DEMOCRACY (S. Con. Res. 108)

VOTE NO. 74

Adoption of the resolution which states the sense of the Congress that the situation in Panama constitutes an unusual and extraordinary threat to U.S. national security, foreign policy, and economic interests; the U.S. should act immediately to impose additional diplomatic, political, and economic pressure on General Noriega and obtain his extradition from Panama; based on the unanimous and unequivocal statement of support for President Delvalle issued by the political leaders of Panama on March 6, 1988, the U.S. should take immediate steps to provide additional diplomatic, political, and economic support to President Delvalle's government; and the U.S. should consider a comprehensive package of emergency financial and other economic assistance to be made available to President Delvalle's transitional government after General Noriega has left Panama in order to assist in rebuilding Panama's economy.

Resolution agreed to. Yeas 92 (49D–43R), Nays 0, Not Voting 8 (5D–3R). March 25, 1988. -------

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HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION (S. 79)

VOTE NO. 75

Kennedy motion to table the Helms amendment (taking with it a Kennedy, et al., substitute amendment to require the Secretary of Health and Human Services, within 90 days of enactment, to implement a program to disseminate information to all U.S. health, public safety, and emergency service workers concerning methods to reduce the risk of becoming infected with AIDS) which requires the Risk Assessment Board to designate as a population at risk those health and emergency care workers who risk occupational exposure to the AIDS disease or virus and to develop notification and medical monitoring or health counseling for these workers in accordance with the Act.

Motion to table agreed to. Yeas 45 (32D–13R), Nays 33 (7D–26R), Not Voting 22 (15D–7R). March 25, 1988. -------

VOTE NO. 76

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 68 (47D–21R), Nays 15 (15R), Not Voting 17 (7D–10R). March 28, 1988. -------

Voted

VOTE NO. 77

Graham, et al., third motion to close further debate on the committee amendment in the nature of a substitute for the bill.

Cloture motion rejected. Yeas 41 (35D–6R), Nays 44 (13D–31R), Not Voting 15 (6D–9R). March 28. 1988. -------

VOTE NO. 78

Kennedy motion to table the Metzenbaum amendment (taking with it a Cranston, et al., amendment virtually identical to the Metzenbaum amendment) which requires the Secretary of Health and Human Services, within 120 days of enactment, to implement a program to disseminate information to all U.S. health, public safety, and emergency service workers concerning methods to reduce the risk of becoming infected with AIDS.

Motion to table failed. Yeas 0, Nays 86 (45D–41R), Not Voting 14 (9D–5R). March 28, 1988. -------

VOTE NO. 79

Graham, et al., fourth motion to close further debate on the committee amendment in the nature of a substitute for the bill.

Cloture motion rejected. Yeas 42 (34D–8R), Nays 52 (15D–37R), Not Voting 6 (5D–1R). March 29, 1988. -------

URANIUM REVITALIZATION (S. 2097)

VOTE NO. 80

Johnston motion to table the Evans-Bradley-Packwood perfecting amendment (to the Johnston, et al., modified amendment) which deletes the charges imposed for using foreign uranium in U.S. civilian nuclear power plants and states the sense of the Congress calling for an investigation of the impact of uranium imports on national security and economic security interests.

NOTE: Subsequently, the Johnston, et, al., modified amendment adding fees on foreign uranium—which had been stripped from the reported bill to avoid referral to the Finance Committee—was adopted by voice vote.

Motion to table agreed to. Yeas 47 (25D–22R), Nays 45 (24D–21R), Not Voting 8 (5D–3R). March 30, 1988. -------

VOTE NO. 81

Passage of the bill which directs the U.S. government to purchase domestic uranium exclusively, except for uranium acquired under contracts entered into before enactment of this Act, which is exempted from this directive; makes these provisions inapplicable to the Tennessee Valley Authority; restricts the use and reduction of the amount of natural and enriched uranium contained in U.S. government stockpiles or inventories; establishes a Uranium Mill Tailings Fund to partially reimburse owners or licensees of active uranium mills for the cost of reclamation, decommissioning, and remedial action associated with existing mill tailings at those sites; and establishes the U.S. Enrichment Corporation and transfers to it most of the existing enrichment assets and liabilities of DOE, including production facilities and stocks of feed material and enriched uranium.

Bill passed. Yeas 62 (31D–31R), Nays 28 (16D–12R), Not Voting 10 (7D–3R). March 30, 1988. -------

BANKING—GLASS-STEAGALL (S. 1886)

VOTE NO. 82

Passage of the bill which provides for the phased repeal of provisions of the Glass-Steagall Act that prohibit affiliations between commercial banks and investment banking companies; establishes a framework to permit banking activities and securities activities to be combined in one organization using the holding company structure; establishes a 30-day procedure in place of the present application procedure for the formation of bank holding companies; subjects certain bank broker dealer activities to the same type of SEC regulations as nonbank broker dealer activities; applies functional regulation to bank investment company activities in much the same way as it is applied to broker dealer activities; contains provisions designed to enable consumers to compare different savings and investment products; sets forth disclosure provisions with respect to home equity loans; and establishes ground rules for bank insurance activities under

Voted

BANKING—GLASS-STEAGALL—Continued

the Bank Holding Company Act of 1956 and the National Bank Act.

Bill passed. Yeas 94 (50D-44R), Nays 2 (2R), Not Voting 4 (4D). March 30, 1988. _______

CONTRA AID (H.J. Res. 523)

VOTE NO. 83

Passage of the joint resolution which makes available through FY 1988 $47.9 million, by transfer from DOD accounts, in aid to reinforce the peace process in Nicaragua consistent with the Sapoa Ceasefire Agreement concluded March 23, 1988, between the Nicaraguan government and the Nicaraguan resistance (Contras); includes $17.7 million in humanitarian aid (food, clothing, medicine, and shelter) to the Contras, of which $1.5 million may be used to provide communications equipment if found consistent with the ceasefire agreement; $2.2 million to aid the Yatama Miskito Indians; $17.7 million for the medical treatment of children injured in the Nicaraguan war; $10 million to assist the activities of the cease-fire verification commission; and $2.5 million to the Agency for International Development for delivery of the humanitarian aid.

Joint resolution passed. Yeas 87 (44D-43R), Nays 7 (5D-2R), Not Voting 6 (5D-1R). March 31, 1988. _______

Became Public Law 100-276.

PANAMA—ECONOMIC SANCTIONS (S. Res. 403)

VOTE NO. 84

Adoption of the resolution which expresses the sense of the Senate that the President should invoke his available emergency economic powers to prevent future transfers of cash and credit subject to U.S. jurisdiction to the Noriega regime in Panama, and instead place any amounts which would otherwise be transferred to Panama into an escrow account.

Resolution agreed to. Yeas 92 (49D-43R), Nays 1 (1R), Not Voting 7 (5D-2R). March 31, 1988. _______

FIRST BUDGET RESOLUTION, FY 1989 (H. Con. Res. 268)

VOTE NO. 85

Byrd motion to proceed to consideration of the bill.

Motion to proceed agreed to. Yeas 83 (44D-39R), Nays 0, Not Voting 17 (10D-7R). April 11, 1988. _______

VOTE NO. 86

Symms, et al., perfecting amendment (to the Chiles, et al., amendment) which states the sense of the Congress that legislation should be enacted (1) excluding the surplus (or deficit) of the Social Security, Highway, and Aviation Trust Funds from the calculation of the budget deficit, and (2) eliminating, within five years, the budget deficit when calculated excluding the surpluses (or deficits) from the Trust Funds.

Amendment agreed to. Yeas 85 (45D-40R), Nays 8 (4D-4R), Not Voting 7 (5D-2R). April 12, 1988. _______

VOTE NO. 87

Stevens-McClure perfecting amendment (to the Chiles, et al., amendment, as amended) which states the sense of the Congress that the receipts and disbursements of the U.S. Postal Service should not be counted for purposes of determining the Federal deficit.

Amendment agreed to. Yeas 85 (41D-44R), Nays 8 (6D-2R), Not Voting 7 (7D). April 13, 1988. _______

VOTE NO. 88

Chiles motion to table the Gramm modified perfecting amendment (to the Chiles, et al., amendment, as amended) which states the sense of the Congress that legislation should be enacted that (1) excludes the surpluses (or deficits) from the Military Retirement, Civil Service Retirement, and Unemployment Trust Funds (as well as those already excluded) from the calculation of the budget deficit, and (2) eliminates the budget deficit when calculated excluding the surplus (or deficit) from all the Trust Funds within five years.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 45 (41D-4R), Nays 49 (7D-42R), Not Voting 6 (6D). April 13, 1988.

VOTE NO. 89

Chiles motion to table the Gramm perfecting amendment (to the Chiles, et al., amendment, as amended) which states the sense of the Congress that legislation should be enacted to require that the definition of the Federal deficit include the current value of the unfunded liabilities of the Federal government (estimated to be either $5.6 trillion or $0.4 trillion depending on which definition is selected for the Social Security Trust Fund).

Motion to table agreed to. Yeas 53 (49D-4R), Nays 43 (1D-42R), Not Voting 4 (4D). April 13, 1988.

VOTE NO. 90

Domenici motion to table the Chiles substitute amendment (to the Chiles, et al., amendment, as amended) which states the sense of the Congress that legislation should be enacted that (1) excludes the surplus (or deficit) from the Social Security Trust Fund from the calculation of the budget deficit, and (2) eliminates the budget deficit when calculated excluding the surplus in that trust fund within five years

Motion to table agreed to. Yeas 70 (24D-46R), Nays 26 (26D), Not Voting 4 (4D). April 13, 1988.

VOTE NO. 91

Specter, et al., amendment which increases in FY 1989 the Administration of Justice Function 750 by $100 million each in budget authority and outlays for the assumed purpose of increased prison construction and the General Government Function 800 by $25 million each in budget authority and outlays for the assumed purpose of increasing funding for the Bureau of Alcohol, Tobacco, and Firearms, offset by decreasing the Travel Allowances Function 920 by $125 million each in budget authority and outlays.

NOTE: No funding is specifically allocated in the bill for Function 920.

Amendment agreed to. Yeas 76 (33D-43R), Nays 18 (16D-2R), Not Voting 6 (5D-1R). April 13, 1988.

VOTE NO. 92

DeConcini, et al., amendment to provide for a reserve fund for an anti-drug initiative of $2.6 billion in budget authority and $1.4 billion in outlays, which shall not become effective until deficit-neutral legislation has been reported by the appropriate congressional committees and the President and bipartisan leadership in Congress agree that the drug threat poses a dire emergency.

Amendment agreed to. Yeas 93 (49D-44R), Nays 0, Not Voting 7 (5D-2R). April 13, 1988.

VOTE NO. 93

Chiles motion to table the Weicker, et al., modified amendment which increases FY 1989 funding for the Health Function 550 by $145 million in budget authority and $50 million in outlays for the assumed purpose of increases for childhood immunization, geriatric training, and community health centers, and makes reductions in the same amounts to the 1989 Science, Space, and Technology Function 250, such cuts assumed to be taken from the super collider program.

Motion to table agreed to. Yeas 57 (30D-27R), Nays 38 (19D-19R), Not Voting 5 (5D). April 14, 1988.

VOTE NO. 94

Bentsen motion to table the Armstrong, et al., amendment which reduces estimated revenues in order to phase in the indexing of the basis used in computing the capital gains tax, offset by equal reductions of $100 million in FY 1989 and $200 million in 1990 in Community and Regional Development Function 450.

Motion to table agreed to. Yeas 66 (44D-22R), Nays 29 (5D-24R), Not Voting 5 (5D). April 14, 1988.

FIRST BUDGET RESOLUTION, FY 1989—Continued

VOTE NO. 95

Adoption of the concurrent resolution which sets forth recommended levels of total new budget authority, outlays, and revenues for FY 1989-91 resulting in a deficit of $136.0 billion—the deficit target established under Gramm-Rudman-Hollings (GRH); meets the budget summit agreement levels of $299.5 billion in BA and $294 billion in outlays for defense; requires no revenue increases in 1989 beyond those enacted in 1987 as a result of the summit agreement—assumes that any proposed or pending tax or trade legislation will be deficit neutral.

Contains $148.1 billion in BA and $169.2 billion in outlays in non-defense spending in 1989, consistent with the summit agreement caps; assumes $500 million for continuation of nutrition aid when commodity surpluses in the Temporary Emergency Food Assistance Program are depleted, and enactment of deficit-neutral catastrophic health insurance and welfare reform legislation and Medicaid provisions to broaden coverage for pregnant women and children, protect families during the transition period of welfare to work, and protect low-income elderly against spousal impoverishment; contains asset sales and prepayments totaling $5.8 billion in 1989, including $2.3 billion already enacted and $3.5 billion as called for in the summit agreement, to be achieved through reconciliation; directs certain Senate authorizing committees to report legislation by April 29, 1989, to increase contributions by a total of $3.5 billion in FY 1989; expresses the sense of the Congress that anti-narcotics activities should be among the top funding priorities in FY 1989.

Provides a reserve fund for an anti-drug initiative of $2.6 billion in budget authority and $1.4 billion in outlays, contingent on the appropriate congressional committees reporting deficit-neutral legislation and agreement by the President and bipartisan leadership in Congress that the drug threat poses a dire emergency; and expresses the sense of the Congress that the National Economic Commission should study the budgetary treatment of the social security and other trust funds as well as self-supporting public enterprise funds to determine if they should be removed from the Federal budget.

NOTE: See Vote No. 167 on the conference report.

Concurrent resolution agreed to. Yeas 69 (44D-25R), Nays 26 (6D-20R), Not Voting 5 (4D-1R). April 14, 1988. -------

BAHAMAS ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 292)

VOTE NO. 96

Passage (rejected) of the joint resolution which disapproves the President's certification, as required by Section 481(h) of the Foreign Assistance Act of 1961, that the Bahamas has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies.

Bill defeated Yeas 40 (22D-18R), Nays 53 (26D-27R), Not Voting 7 (6D-1R). April 14, 1988. -------

MEXICO ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 268)

VOTE NO. 97

Passage of the joint resolution which disapproves the President's certification, as required by Section 481(h) of the Foreign Assistance act of 1961, that Mexico has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies.

NOTE: Under the Anti-Drug Abuse Act of 1986 (P.L. 99-570), the President is required to certify to Congress by March 1 of each year that 24 specified countries, which are recipients of U.S. aid, have in the past year cooperated fully with the U.S. in its effort to eradicate the drug problem or be subject to stiff sanctions, including a 50 percent reduction in U.S. foreign aid.

The Act further provides for congressional disapproval of any certification by passage of a joint resolution of disapproval, within 45 days of its receipt (excluding recesses), under expedited procedures. The President submitted the required certification with respect to Mexico on February 28. The Foreign Relations Committee was discharged of further consideration of the

Voted

disapproval resolution on April 12, 1988, after the motion to report was defeated by a tie vote of 8 to 8 on April 12, 1988.

Joint resolution passed. Yeas 63 (27D–36R), Nays 27 (19D–8R), Not Voting 10 (8D–2R). **April 14, 1988.** -------

LOBBYING—"REVOLVING DOOR" (S. 237)

VOTE NO. 98

Rudman perfecting amendment (to the Thurmond, et al., modified substitute amendment) which strikes the partial exemption in cases where the former employee is an attorney representing a party on a matter likely to involve judicial proceedings.

Amendment agreed to. Yeas 83 (42D–41R), Nays 0, Not Voting 17 (12D–5R). April 15, 1988. -------

VOTE NO. 99

Rudman perfecting amendment (to the Thurmond, et al., modified substitute amendment) which prohibits Members of Congress from affiliating with professional corporations and receiving compensation for professional services.

Amendment agreed to. Yeas 81 (42D–39R), Nays 0, Not Voting 19 (12D–7R). April 15, 1988. -------

VOTE NO. 100

Rudman perfecting amendment (to the Thurmond, et al., modified substitute amendment) which prohibits Members of Congress from converting excess campaign funds to personal use upon leaving Congress.

Amendment agreed to. Yeas 83 (42D–41R), Nays 0, Not Voting 17 (12D–5R). April 15, 1988. -------

JAPANESE-AMERICAN INTERNMENT (H.R. 442)

VOTE NO. 101

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 73 (50D–23R), Nays 22 (22R), Not Voting 5 (4D–1R). April 20, 1988. -------

VOTE NO. 102

Stevens motion to table the Hecht amendment which strikes the Trust Fund provisions authorizing funds in FY 1989–93, subject to appropriations, to provide individual payments of $20,000 to U.S. citizens and resident aliens of Japanese ancestry who were evacuated, relocated, and interned during World War II and $12,000 to compensate surviving Aleuts for their losses during evacuation.

Motion to table agreed to. Yeas 67 (45D–22R), Nays 30 (6D–24R), Not Voting 3 (3D). April 20, 1988. -------

VOTE NO. 103

Matsunaga motion to table the Helms amendment which prohibits appropriation of any funds to provide restitution payments under the Act in any year having a budget deficit.

Motion to table agreed to. Yeas 61 (42D–19R), Nays 35 (9D–26R), Not Voting 4 (3D–1R). April 20, 1988. -------

VOTE NO. 104

Stevens motion to table the Helms amendment which prohibits restitution payments from being made to U.S. citizens and resident aliens of Japanese ancestry who were evacuated, relocated, and interned during World War II, until the Japanese government has fairly compensated the families of the people who were killed as a result of the Japanese bombing of Pearl Harbor on December 7, 1941.

Motion to table agreed to. Yeas 91 (50D–41R), Nays 4 (4R), Not Voting 5 (4D–1R). April 20, 1988. -------

VOTE NO. 105

Passage of the bill which accepts the findings of the Commission on Wartime Relocation and Internment of Civilians and offers an official apology to the U.S. citizens and resident aliens of Japanese ancestry who were evacuated, relocated, and in-

Voted

JAPANESE-AMERICAN INTERNMENT—Continued

terned during World War II; authorizes $500 million in FY 1989, $400 million in 1990, $200 million in 1991, and $100 million in each 1992-93 to provide individual payments of $20,000 to U.S. citizens and resident aliens of Japanese ancestry who were evacuated, relocated, and interned during World War II; and authorizes such sums as necessary to make individual payments of $12,000 to compensate surviving Aleuts for their losses during evacuation, $5 million to benefit the general welfare of the affected Aleut villages, and $15 million for the Attu Island Restitution Program to compensate the Aleuts for the loss of Attu Island.

NOTE: The Senate agreed to the conference report by voice vote on July 27, 1988.

Bill passed. Yeas 69 (44D-25R), Nays 27 (7D-20R), Not Voting 4 (3D-1R). April 20, 1988. -------

Became Public Law 100-383.

CONSTITUTIONAL AMENDMENT ON CAMPAIGN CONTRIBUTIONS (S.J. Res. 282)

VOTE NO. 106

Gramm motion to table the Gramm motion to recommit the joint resolution to the Judiciary Committee, with instructions to report back forthwith, with an amendment in the nature of a substitute containing the provisions of the Gramm amendment which proposes a Constitutional amendment to require Congress to adopt a balanced budget prior to each fiscal year, unless both Houses of Congress pass, by a three-fifths vote, legislation permitting outlays to exceed receipts; limits the rate of increase in total receipts for any fiscal year to the rate of increase in the GNP in the prior year, unless Congress, by majority vote, enacts a bill directly providing for the increase; allows the Congress to waive these provisions in any fiscal year in which a declaration of war is in effect; makes permanent the public debt limit that exists on the date of ratification which shall not be increased thereafter except by three-fifths vote of both Houses; and provides that the article shall take effect for the second fiscal year beginning after its ratification.

Motion to table failed. Yeas 5 (1D-4R), Nays 90 (48D-42R), Not Voting 5 (5D). April 21, 1988. -------

VOTE NO. 107

Hollings, et al., motion to close further debate on the Hollings perfecting amendment (to the Gramm motion to recommit the joint resolution to the Judiciary Committee, with instructions) which contains the provisions of the underlying joint resolution and provides that it would become effective only if ratified by the legislatures of three-fourths of the States within seven years and three days after the date of the final passage of the joint resolution.

Cloture motion rejected. Yeas 52 (48D-4R), Nays 42 (1D-41R), Not Voting 6 (5D-1R). April 21, 1988. -------

VOTE NO. 108

Hollings, et al., second motion to close further debate on the Hollings perfecting amendment (to the Gramm motion to recommit the joint resolution to the Judiciary Committee, with instructions) which contains the provisions of the underlying joint resolution and provides that it would become effective only if ratified by the legislatures of three-fourths of the States within seven years and three days after the date of the final passage of the joint resolution.

Cloture motion rejected. Yeas 53 (48D-5R), Nays 37 (37R), Not Voting 10 (6D-4R). April 22, 1988. -------

VETERANS' COMPENSATION FOR NUCLEAR EXPOSURE (H.R. 1811)

VOTE NO. 109

Passage of the bill which provides a presumption of service connection to veterans, or their survivors, who participated in atmospheric nuclear tests as part of the U.S. nuclear weapons testing program or in the American occupation of Hiroshima or Nagasaki, Japan, and who suffer from certain diseases that may be attributable to exposure to ionizing radiation; specifies the diseases covered by this bill which include 13 types of cancer (except Hodgkin's disease and liver cancer where cirrhosis or hepatitis B is indicated); and establishes the presumption period as the 40-year period, beginning on the last date on which the veteran participated in a radiation-risk activity, for all covered diseases except leukemia (other than chronic lymphocytic leukemia), which has a 30-year presumptive period.

NOTE: The House agreed to the Senate amendments to this bill on May 2, 1988, thus clearing the measure as passed by the Senate.

Bill passed. Yeas 48 (38D-10R), Nays 30 (2D-28R), Not Voting 22 (14D-8R). April 25, 1988.

Became Public Law 100-321.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 110

Adoption of the conference report on the bill which seeks to improve the U.S. trade balance through a comprehensive restructuring of U.S. trade laws, including those affecting trade negotiating authority and unfair trade practices and foreign trade barriers; establishes training and education programs to enhance American competitiveness; requires advance notice of plant closings and mass layoffs; establishes demonstration programs to address the needs of displaced U.S. workers; and repeals the windfall profits tax.

NOTE: The President vetoed the bill on May 24, 1988. See further Vote No. 169 by which the Senate sustained the veto.

Conference report agreed to. Yeas 63 (52D-11R), Nays 36 (1D-35R), Not Voting 1 (1D). April 27, 1988.

AIDS INFORMATION AND RESEARCH (S. 1220)

VOTE NO. 111

Helms amendment which prohibits the use of funds authorized by this bill to provide hypodermic needles or syringes (thereby prohibiting their provision for intravenous blood testing, intravenous [IV] administration of antibiotics, vaccine testing, and administration of chemotherapy).

Amendment rejected. Yeas 19 (1D-18R), Nays 66 (42D-24R), Not Voting 15 (11D-4R). April 27, 1988.

VOTE NO. 112

Helms amendment which prohibits the use of funds authorized by this Act to provide hypodermic needles or syringes to drug addicts (thereby prohibiting intravenous home health care from being provided to AIDS patients who are drug addicts, including intravenous feeding or the administration of legal drugs intravenously).

Amendment rejected. Yeas 37 (9D-28R), Nays 59 (43D-16R), Not Voting 4 (2D-2R). April 28, 1988.

VOTE NO. 113

Kennedy-Hatch substitute amendment (for the Hatch-Dole amendment) which prohibits the use of funds authorized by this Act to provide hypodermic needles or syringes to individuals for their use in administering illegal drugs, unless the Surgeon General determines that a demonstration needle exchange program would be effective in reducing drug abuse and the risk that the public will become infected with AIDS.

Amendment agreed to. Yeas 70 (49D-21R), Nays 27 (3D-24R), Not Voting 3 (2D-1R). April 28, 1988.

VOTE NO. 114

Kennedy, et al., substitute amendment (for the Armstrong amendment which would require States to certify that they have no law or policy which permits health care providers to deny nutrition and fluids to an AIDS patient unless explicitly requested by the patient) which requires the Congressional Biomedical Ethics Board to report to Congress, within 18 months of enactment, on the ethical issues connected with the administration of nutrition and hydration to dying patients including a review of relevant State laws and court decisions and a discussion of the

AIDS INFORMATION AND RESEARCH—Continued

appropriate roles of the patient, his/her family, and the care provider.

Amendment agreed to. Yeas 60 (49D–11R), Nays 36 (3D–33R), Not Voting 4 (2D–2R). April 28, 1988. -------

VOTE NO. 115

Nickles amendment which requires routine, confidential testing for exposure to the AIDS virus of individuals convicted of felonious intravenous drug or sexual offenses; authorizes the Attorney General to implement the program in Federal prisons and to provide pre- and post-test counseling; and requires States to file an application, which must be approved before Federal funding is provided, implementing the program in State prisons.

Amendment agreed to. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). April 28, 1988. -------

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IMMIGRATION AMNESTY PROGRAM EXTENSION (H.R. 4222)

VOTE NO. 116

Kennedy, et al., motion to close further debate on the motion to proceed to consideration of the bill which extends for six months the period (due to expire on May 4, 1988) during which certain illegal aliens in the U.S. may apply for legalization under the Immigration Reform and Control Act of 1986 (P.L. 99-603).

Cloture motion rejected. Yeas 40 (36D–4R), Nays 56 (17D–39R), Not Voting 4 (1D–3R). April 28, 1988. -------

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AIDS INFORMATION AND RESEARCH (S. 1220)

VOTE NO. 117

Kennedy motion to table the Helms substitute amendment (for the Nickles amendment) which prohibits the use of funds authorized by this Act to provide educational, informational, or risk reduction materials or activities to promote or encourage, directly, homosexual activity; requires that such materials and activities emphasize abstinence from illegal intravenous drug usage and from sexual activity outside a sexually monogamous marriage (including abstinence from homosexual sexual activities); and requires all Federally-funded AIDS public information and education materials to provide warnings that homosexual and bisexual activities, multiple sex partners, and intravenous drug use are high risk activities for becoming infected with the AIDS virus.

Motion to table failed. Yeas 22 (15D–7R), Nays 73 (37D–36R), Not Voting 5 (2D–3R). April 28, 1988. -------

VOTE NO. 118

Helms substitute amendment (for the Nickles amendment) which prohibits the use of funds authorized by this Act to provide educational, informational, or risk reduction materials or activities to promote or encourage, directly, homosexual activity; requires that such materials and activities emphasize abstinence from illegal intravenous drug use and from sexual activity outside a sexually monogamous marriage (including abstinence from homosexual sexual activities); and requires all Federally-funded AIDS public information and education materials to provide warnings that homosexual and bisexual activities, multiple sex partners, and intravenous drug use are high risk activities for becoming infected with the AIDS virus.

Amendment agreed to. Yeas 71 (35D–36R), Nays 18 (13D–5R), Not Voting 11 (6D–5R). April 28, 1988. -------

VOTE NO. 119

Helms motion to table the Kennedy amendment (and the Kennedy modified substitute amendment thereto) which requires education programs funded by this Act to stress the public health benefits of sexual abstinence and a single monogamous relationship and the avoidance of illegal intravenous drug use; and provides that, notwithstanding any other provision in this Act, nothing shall restrict the ability of an education program to provide accurate information on reducing the risk of becoming infected with the etiologic agent for AIDS.

Note: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 29 (4D-25R), Nays 61 (45D-16R), Not Voting 10 (5D-5R). April 28, 1988.

VOTE NO. 120

Passage of the bill which authorizes funds for a comprehensive program of education, information, risk reduction, training, prevention, treatment, care, and research concerning AIDS; prohibits the use of funds to provide hypodermic needles or syringes to individuals to administer illegal drugs, unless the Surgeon General determines that such a program would be effective in reducing drug abuse and the risk that the public will become infected with AIDS; prohibits the use of funds to provide educational, informational, or risk reduction materials or activities which promote or encourage homosexual activity; and repeals D.C. law 6-170 which prohibits insurers from testing insurance applicants for the AIDS virus and requires insurance companies to insure HIV-positive applicants at a standard rate for five years.

Note: S. 2889, enacted as Public Law 100-607, contains funding for AIDS programs.

Bill passed. Yeas 87 (48D-39R), Nays 4 (4R), Not Voting 9 (6D-3R). April 28, 1988.

DEFENSE AUTHORIZATION (H.R. 4264)

VOTE NO. 121

Dixon amendment to retain current law requiring the in-State purchase of alcoholic beverages for resale on military installations.

Amendment agreed to. Yeas 53 (28D-25R), Nays 29 (16D-13R), Not Voting 18 (10D-8R). May 9, 1988.

VOTE NO. 122

Dixon, et al., modified perfecting amendment (to the Dixon modified amendment, as amended by the Levin amendment) which modifies the provisions creating the Commission on Base Realignment and Closure to add six additional members to be appointed by the Secretary of Defense after consultation with the Chairmen and ranking Members of the appropriate congressional committees and national associations of State and local officials; specifies that senior Commission staff may not have been employed by DOD during calendar year 1988; prohibits any action with regard to base closures or realignment in accordance with the Commission's report if a resolution of disapproval has been enacted within 45 days of receipt of the report; establishes expedited procedures for congressional consideration of the disapproval resolution; and requires the Secretary to report to Congress and the Commission on the possible closure of foreign bases and authorizes the Commission to make suggestions and comments thereon.

Note: Subsequently, the amendment, as amended, was agreed to by voice vote.

Amendment agreed to. Yeas 83 (50D-33R), Nays 13 (2D-11R), Not Voting 4 (2D-2R). May 10, 1988.

VOTE NO. 123

Nunn motion to table the Wilson, et al., amendment which requires the Secretary of any military department which constructs a family housing project after October 1, 1988, to provide Federal financial assistance (equal to $1.50 multiplied by the total square footage of the housing project) to the affected public school districts which can show a substantial increase in its student enrollment for which it does not have adequate financial resources.

Motion to table agreed to. Yeas 59 (44D-15R), Nays 33 (5D-28R), Not Voting 8 (5D-3R). May 10, 1988.

VOTE NO. 124

Exon motion to table the Proxmire perfecting amendment (to the Johnston, et al., amendment—Vote No. 125) which reduces by $700 million funding for the SDI program.

Motion to table agreed to. Yeas 66 (28D-38R), Nays 29 (23D-6R), Not Voting 5 (3D-2R). May 11, 1988.

Voted

DEFENSE AUTHORIZATION—Continued

VOTE NO. 125

Exon motion to table the Johnston, et al., amendment which earmarks $700 million of SDI funding for reimbursement of NASA as the Defense Department's share of the cost of the space shuttle and station.

Motion to table agreed to. Yeas 50 (12D–38R), Nays 46 (39D–7R), Not Voting 4 (3D–1R). May 11, 1988. _______

VOTE NO. 126

Warner motion to table the Exon motion to reconsider Vote No. 125 by which the Senate tabled the Johnston, et al., amendment earmarking $700 million for the space shuttle and station.

Motion to table motion to reconsider rejected. Yeas 47 (9D–38R), Nays 50 (44D–6R), Not Voting 3 (1D–2R). May 11, 1988. _______

VOTE NO. 127

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 72 (51D–21R), Nays 23 (1D–22R), Not Voting 5 (2D–3R). May 11, 1988. _______

VOTE NO. 128

Exon motion to reconsider Vote No. 125 by which the Senate tabled the Johnston, et al., amendment earmarking $700 million for the space shuttle and station.

Motion to reconsider rejected. Yeas 48 (42D–6R), Nays 50 (11D–39R), Not Voting 2 (1D–1R). May 11, 1988. _______

VOTE NO. 129

Nunn motion to table the Bumpers, et al., amendment (taking with it the Leahy second degree amendment) which prohibits the expenditure or obligation of funds from 60 days after enactment through September 30, 1989, to overhaul, maintain, operate, or deploy any MIRVed strategic nuclear weapons launcher or platform that would cause the U.S. to exceed the numbers of MIRVed ICBM's, MIRVed ballistic missiles, and MIRVed strategic systems that it had deployed on January 25, 1988; allows waiver of the prohibition if the U.S. and Soviet Union have entered into a new strategic arms agreement or agreed upon an alternative regime for interim restraint on strategic nuclear weapons, or the Soviet Union has deployed strategic launchers and platforms in excess of the number of launchers of MIRVed ICBM's or MIRVed ballistic missiles that it had deployed on January 25, 1988, or in excess of the number of launchers and platforms of MIRVed strategic systems that the U.S. had deployed on January 25, 1988; and permits a temporary waiver for 30-day periods if the U.S. intelligence community cannot determine whether the Soviet strategic forces have exceeded these permitted limits.

Motion to table agreed to. Yeas 51 (12D–39R), Nays 45 (40D–5R), Not Voting 4 (2D–2R). May 11, 1988. _______

VOTE NO. 130

Reid motion to table the Hatfield-Kennedy-Mitchell modified amendment which imposes, within 270 days of enactment, a mutual, conditional, two-year moratorium on spending to conduct underground nuclear explosions with a yield greater than five kilotons each (except for two designated test explosions which shall not exceed a 15 kiloton yield), in a weak-coupling geologic media, at a location not part of a "designated test area," and unless a public announcement of the test has been made at least 30 days prior to the explosion; provides that the testing moratorium shall cease if the President certifies to Congress that the Soviet Union has violated any of the first three conditions listed above or has refused to implement reciprocal, in-country monitoring arrangements, and Congress has passed a joint resolution, under expedited procedures, approving the certification; and makes the moratorium inapplicable if supplanted by an agreement or treaty between the U.S. and the Soviet Union which reduces the number or yield of underground explosions further than permitted by any treaties signed before January 1, 1987.

Motion to table agreed to. Yeas 57 (20D–37R), Nays 39 (33D–6R), Not Voting 4 (1D–3R). May 12, 1988. _______

Voted

VOTE NO. 131

McCain motion to table the Kennedy, et al., amendment which prohibits the introduction of U.S. troops into Honduras or Nicaragua for the purpose of combat unless Congress has declared war or authorized the presence of U.S. forces by joint resolution, or the President has determined that U.S. forces are necessary to protect or provide for the immediate evacuation of American citizens or to respond to a clear and present danger of military attack on the U.S.; and provides that nothing in this section shall invalidate any authority of the U.S. to act under the provisions of the Inter-American Treaty of Reciprocal Assistance.

Motion to table agreed to. Yeas 60 (18D-42R), Nays 37 (35D-2R), Not Voting 3 (1D-2R). May 12, 1988. -------

VOTE NO. 132

Gramm motion to table the Heinz, et al., amendment which strikes the section of the bill that would permit DOD to waive the Buy America provisions in current law for any item if the cost of procurement abroad is at least 10 percent less than purchasing from a U.S. source and DOD determines that the country that produces the item to be purchased does not impose limitations on the procurement of U.S.-produced goods for its armed forces; and strikes the section repealing current law that establishes goals for DOD to convert domestic oil-fired defense facilities to coal where cost-effective and purchase 300,000 short tons of anthracite coal in FY 1988.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 32 (13D-19R), Nays 64 (39D-25R), Not Voting 4 (2D-2R). May 12, 1988. -------

VOTE NO. 133

Exon motion to table the Simon-Levin amendment which reduces funding for the MX rail garrison program by $500 million and increases funding for Air Force war reserve spare parts by $300 million, Army supply operations by $100 million, Army procurement of Hellfire missiles by $70 million, and Navy procurement of aircraft electronic countermeasures equipment by $30 million.

Motion to table agreed to. Yeas 61 (22D-39R), Nays 36 (31D-5R), Not Voting 3 (1D-2R). May 12, 1988. -------

VOTE NO. 134

McCain motion to table the Adams amendment which prohibits the use of funds to escort or convoy commercial vessels under the U.S. flag that were formerly owned by Kuwait or Kuwaiti nationals, or to defend commercial vessels in the Persian Gulf registered under other nations' flags if Congress enacts a joint resolution of disapproval within 15 days of submission by the President of a plan outlining the presence of U.S. Armed Forces in the Persian Gulf; provides that, if a joint disapproval resolution is not enacted, the plan shall be deemed approved by Congress and funds for Persian Gulf activities may be appropriated only in accordance with the plan; and prohibits the obligation or expenditure of funds for U.S. Armed Forces in the Persian Gulf in any future year unless Congress specifically appropriates funds for that purpose.

Motion to table agreed to. Yeas 82 (40D-42R), Nays 13 (11D-2R), Not Voting 5 (3D-2R). May 12, 1988. -------

VOTE NO. 135

Cohen motion to table the Kennedy-Levin-Nunn amendment to require the Navy to maintain the current level of 14 deployable aircraft carriers by directing that two aircraft carriers be decommissioned 30 days after the USS *Abraham Lincoln* and the USS *George Washington* are commissioned.

Motion to table agreed to. Yeas 56 (16D-40R), Nays 37 (34D-3R), Not Voting 7 (4D-3R). May 13, 1988. -------

VOTE NO. 136

Exon motion to table the Wallop, et al., amendment which earmarks $100 million of the amount authorized for SDI to deploy an accidental launch protection system.

Motion to table agreed to. Yeas 56 (47D-9R), Nays 37 (3D-34R), Not Voting 7 (4D-3R). May 13, 1988. -------

Voted

DEFENSE AUTHORIZATION—Continued

VOTE NO. 137

Exon motion to table the Levin-Johnston-Dixon amendment which reduces funding for the SDI program from the Committee-reported amount of $4.6 billion to $4.0 billion and increases funding for conventional defense programs by $600 million (primarily for depot maintenance, Apache attack helicopters, and Army ammunition).

Motion to table agreed to. Yeas 51 (13D-38R), Nays 43 (38D-5R), Not Voting 6 (3D-3R). May 13, 1988. -------

VOTE NO. 138

Heinz motion to table the Gramm amendment which reinstates the provisions struck by Vote No. 132 eliminating current law which establishes goals for DOD to convert domestic oil-fired defense facilities to coal where cost-effective and purchase 300,000 short tons of anthracite coal in FY 1988 (and the Byrd-Heinz-Specter amendment, as a substitute thereto, which would restrict the conversion of U.S. military facilities in Europe from coal to oil or gas.)

Motion to table agreed to. Yeas 53 (37D-16R), Nays 37 (13D-24R), Not Voting 10 (4D-6R). May 13, 1988. -------

VOTE NO. 139

Wilson-Nunn-Warner, et al., amendment which provides for drug enforcement assistance by the military in the form of aerial detection, law enforcement authority to make arrests in specified circumstances, and a $60 million authorization for National Guard drug interdiction efforts.

Amendment agreed to. Yeas 83 (46D-37R), Nays 6 (4D-2R), Not Voting 11 (4D-7R). May 13, 1988. -------

VOTE NO. 140

Stennis motion to table the Johnston-Breaux amendment which prohibits the Secretary of the Navy from limiting the competition for building the DDG-51 Aegis-class destroyer program to the two shipyard contractors to which competition is limited for the three ships currently being built unless the limitation will result in a lower total program cost or is necessary to meet the cost, schedule, or performance requirements of the Navy as determined by the Secretary; and precludes the Secretary from certifying a reason for limiting the competition until after receipt of all competitive bids.

Motion to table agreed to. Yeas 63 (32D-31R), Nays 24 (18D-6R), Not Voting 13 (4D-9R). May 16, 1988. -------

VOTE NO. 141

Dixon motion to table the Helms amendment which prohibits the expenditure of funds for the implementation of the U.S.-USSR Afghan agreement concerning the 1988 Treaty made by Afghanistan and Pakistan in connection with the Soviet occupation of Afghanistan unless and until the President has submitted the agreement to the Senate for its advice and consent to ratification.

Motion to table agreed to. Yeas 63 (48D-15R), Nays 30 (3D-27R), Not Voting 7 (3D-4R). May 16, 1988. -------

VOTE NO. 142

Levin motion to table the D'Amato, et al., amendment which amends the Controlled Substance Act to permit the death penalty to be imposed on any person engaging in or working to further a continuing criminal enterprise who intentionally kills or participates substantially in the killing of any individual; and requires, upon conviction or entry of a guilty plea, a separate hearing to be conducted before a jury to consider whether any specified aggravating or mitigating factors exist and whether one type of factor outweighs the other; and requires that any aggravating factors must be proven "beyond a reasonable doubt" by the prosecution and any mitigating factors must be proven "by a preponderance of the evidence" by the defense.

NOTE: Subsequently, the amendment was withdrawn and drafted as a separate bill, S. 2455, which passed the Senate on June 10, 1988—Vote No. 175.

Motion to table failed. Yeas 27 (20D-7R), Nays 68 (32D-36R), Not Voting 5 (2D-3R). May 16, 1988. -------

Voted

VOTE NO. 143

Helms modified amendment which prohibits the obligation or expenditure of funds for assistance to the Panamanian Defense Force unless the President certifies that no Soviet, Cuban, or Nicaraguan armed forces are present in Panama and that General Manuel Noriega has been removed from office, barred from all offices and authority, and prohibited from designating his successor; provides that nothing in this amendment shall prohibit the President from expending funds for the defense of the Panama Canal or the maintenance of U.S. interests in Panama; and requires the President to report to Congress on the situation.

Amendment agreed to. Yeas 95 (52D-43R), Nays 0, Not Voting 5 (2D-3R). May 17, 1988. -------

VOTE NO. 144

Dole, et al., amendment stating the sense of the Senate that the U.S. government should not conduct negotiations or make arrangements with General Manuel Noriega which would involve the dropping of drug-related indictments against him; and that any such negotiations or arrangements would send the wrong signal about the priority which the U.S. attaches to the war on drugs and would not further the prospects of restoring a noncorrupt, democratic government to Panama or serve the overall national security interests of the U.S.

Note: Subsequently, the bill was passed by voice vote on May 27, 1988, after the D'Amato amendment was withdrawn—Vote No. 142—and drafted as a separate bill.

Amendment agreed to. Yeas 86 (49D-37R), Nays 10 (3D-7R), Not Voting 4 (2D-2R). May 17, 1988. -------

INF TREATY (Treaty Doc. No. 100-11)

VOTE NO. 145

Pell-Lugar motion to table the Helms point of order that the Treaty before the Senate is not in order because it is not signed by a person authorized to bind the Soviet State but is signed instead by the Leader of a political party and that, additionally, the Soviet Constitution and Soviet law preclude the binding of the Soviet State by the person whose signature appears at four points in the document.

Motion to table agreed to. Yeas 91 (51D-40R), Nays 6 (6R), Not Voting 3 (3D). May 18, 1988. -------

VOTE NO. 146

Lugar motion to table Division I of the Symms amendment which requires the President to notify the Soviet Union that the INF Treaty shall not enter into force until the President certifies to the U.S. Senate that the Soviet Union is no longer engaged in the following violations of the SALT I ABM Treaty: construction of the Krasnoyarsk radar; movement of a flat twin ABM radar from a test range and initiation of deployment at a location outside of an ABM deployment area; ABM-mode tests of Soviet SAM-5, SAM-10, and SAM-12 (surface-to-air missiles) and radars; mobility of the Soviet ABM-3 system in violation of the Treaty ban on mobile ABM's; development of mobile flat twin ABM radars; falsification of the deactivation of ABM test range launchers in violation of the ABM Treaty dismantling procedures; and rapid relocation of a flat twin ABM radar, creating a new ABM test range.

Motion to table agreed to. Yeas 85 (50D-35R), Nays 11 (2D-9R), Not Voting 4 (2D-2R). May 20, 1988. -------

VOTE NO. 147

Lugar motion to table Division II of the Symms amendment which requires the President to notify the Soviet Union that the INF Treaty shall not enter into force until the President certifies to the Senate that the Soviet Union is no longer violating the 1963 Limited Nuclear Test Ban Treaty by venting nuclear radioactive debris beyond Soviet borders from underground nuclear weapons tests, of which there have been over 30 conclusively confirmed cases.

Motion to table agreed to. Yeas 87 (50D-37R), Nays 10 (2D-8R), Not Voting 3 (2D-1R). May 20, 1988. -------

INF TREATY—Continued

VOTE NO. 148

Lugar motion to table Division III of the Symms amendment which requires the President to notify the Soviet Union that the INF Treaty shall not enter into force until the President certifies to the U.S. Senate that the Soviet Union is no longer violating the Biological and Chemical Weapons Bans by its involvement in the production, transfer, and use of chemical and toxic substances for hostile purposes in Southeast Asia and Afghanistan, in violation of the 1925 Geneva Protocol, and its maintenance of an offensive biological warfare program and capability, in violation of the 1972 Biological and Toxin Weapons Convention.

Motion to table agreed to. Yeas 86 (50D-36R), Nays 11 (2D-9R), Not Voting 3 (2D-1R). May 20, 1988.

VOTE NO. 149

Lugar motion to table Division IV of the Symms amendment which requires the President to notify the Soviet Union that the INF Treaty shall not enter into force until the President certifies to the U.S. Senate that the Soviet Union is no longer engaged in the following violations of the SALT I Interim Agreement: deployment of the heavy SS-19 ICBM and the medium SS-17 ICBM as replacements for the light SS-11 ICBM, in violation of the prohibition against replacing light ICBM's and heavy ICBM's; deployment of modern ballistic missile submarines exceeding the limit of 740 SLBM launchers without compensatory dismantlement; deployment of SS-N-21 and SS-NX-24 long-range sea launch cruise missiles on converted Y class SLBM submarines; and use of former SS-7 ICBM facilities in support of the deployment and operation of the SS-25 mobile ICBM's.

Motion to table agreed to. Yeas 82 (50D-32R), Nays 15 (2D-13R), Not Voting 3 (2D-1R). May 20, 1988.

VOTE NO. 150

Lugar motion to table Division V of the Symms amendment which requires the President to notify the Soviet Union that the INF Treaty shall not enter into force until the President certifies to the U.S. Senate that the Soviet Union is no longer engaged in the following violations of SALT II: flight testing, deployment, and development of "rapid-refire" capability and multiple warhead capability of a mobile SS-25 in violation of the prohibition against a "second new type ICBM"; total encryption of SS-25 telemetry; exceeding the SALT II ceiling on Strategic Nuclear Delivery Vehicles; flight testing and deployment of the SS-N-23 sea launch ballistic missile; Arctic basing of the Backfire Bomber; production of Backfire Bombers in excess of annual limits; concealed deployment of banned SS-16 Mobile ICBM Launchers; failure to declare operationally deployed and concealed SS-16 Mobile ICBM Launchers in the SALT II Data Exchange; and false declaration of the range of the AS-3 Kangaroo long-range air launch cruise missile and concerning the range and refueling capability of the Backfire Bomber.

Motion to table agreed to. Yeas 89 (50D-39R), Nays 8 (2D-6R), Not Voting 3 (2D-1R). May 20, 1988.

VOTE NO. 151

Exon motion to table the Humphrey amendment which provides that the Treaty shall not enter into force until the President certifies, without delegation, that the stockpile of ammunition and fuel stored in Europe for NATO defense has been increased from its present level of less than seven days to at least a 15-day stockpile.

Motion to table agreed to. Yeas 73 (43D-30R), Nays 8 (1D-7R), Not Voting 19 (10D-9R). May 20, 1988.

VOTE NO. 152

Pell-Lugar motion to table the Helms amendment which provides that the instruments of ratification shall not be exchanged until the President certifies, without delegation, that the number of SS-20 missiles possessed by the Soviet Union (as reported in the initial data exchange of November 1, 1987) is a true accounting of the number of SS-20 missiles possessed by the Soviet Union on that date.

Motion to table agreed to. Yeas 81 (47D-34R), Nays 13 (2D-11R), Not Voting 6 (5D-1R). May 23, 1988.

Voted

VOTE NO. 153

Pell motion to table the Wallop modified amendment which amends Article VI of the Treaty to provide that neither party may produce any other missile stage which is either outwardly similar to, or interchangeable with, any other stage of an existing type of intermediate-range ground-based launch missile.

Motion to table agreed to. Yeas 68 (44D-24R), Nays 26 (5D-21R), Not Voting 6 (5D-1R). May 23, 1988.

VOTE NO. 154

Pell motion to table the Humphrey amendment which provides that the Treaty shall not enter into force unless and until the parties have also exchanged instruments of ratification of a treaty between them which reduces their strategic nuclear arms (START Treaty).

Motion to table agreed to. Yeas 81 (43D-38R), Nays 5 (5R), Not Voting 14 (11D-3R). May 23, 1988.

VOTE NO. 155

Helms amendment which amends the Treaty to allow either party to terminate the Treaty with 15 days notice if the other party has provided materially misleading and false data or there has been any material breach of the Treaty or its protocols; requires the President to submit to the Senate quarterly Soviet compliance reports; and permits the Senate, at any time after the receipt of the first report, to give notice to the Soviet Union that the Treaty is terminated if a majority of the Senate finds that there has been any material breach of this Treaty.

Amendment rejected. Yeas 9 (2D-7R), Nays 89 (50D-39R) Not Voting 2 (2D). May 25, 1988.

VOTE NO. 156

Hollings, et al., amendment which provides that the Senate's advice and consent to ratification of the Treaty is subject to the condition that the President shall obtain the agreement of the USSR to the following reservation: references in the Treaty to ground-launched cruise missiles (GLCM's) shall be deemed to be references only to GLCM's which are equipped with nuclear warheads.

Amendment rejected. Yeas 28 (10D-18R), Nays 69 (41D-28R), Not Voting 3 (3D). May 25, 1988.

VOTE NO. 157

Nunn-Warner-Boren, et al., amendment (as amended by a Helms perfecting amendment) which clarifies that both the exchange of notes in Geneva and the agreed minute signed May 12 between the U.S. and the USSR (regarding the application of the Treaty to intermediate or shorter range missiles flight-tested or deployed to carry out or be used as weapons based on either current or future technology, the definition of a weapons delivery vehicle, and the parameters of on-site inspections) and the agreements signed on May 21, 1988, in Vienna and Moscow (correcting the site diagrams and certain technical errors in the Treaty) shall have the same force and effect as the conditions of the Treaty.

Amendment agreed to. Yeas 96 (52D-44R), Nays 0, Not Voting 4 (2D-2R). May 26, 1988.

VOTE NO. 158

Byrd perfecting amendment (to the Committee condition) which provides that the Senate's advice and consent to ratification of the INF Treaty is subject to the condition, based on the treaty clauses of the Constitution, that: (1) the U.S. shall interpret the Treaty in accordance with the common understanding of the Treaty shared by the President and the Senate at the time the Senate gave its advice and consent to ratification; (2) the common understanding is based on the Treaty's text, the provisions of the resolution of ratification, and the authoritative representations which were provided by the President and his representatives to the Senate, in seeking Senate consent to ratification, insofar as such representations were directed to the meaning and legal effect of the Treaty's text; (3) the U.S. shall not agree to or adopt an interpretation different from that common understanding except pursuant to Senate advice and consent to a subsequent treaty or protocol, or the enactment of a statute; and (4) if at a later time, a question arises as to the interpretation of a provision of the Treaty on which no common understanding was reached in accordance with item 2 above,

INF TREATY—Continued

that provision shall be interpreted in accordance with applicable U.S. law.

Amendment agreed to. Yeas 72 (52D-20R), Nays 27 (1D-26R), Not Voting 1 (1D). May 26, 1988.

VOTE NO. 159

Bradley motion to table the Helms, et al., amendment which adds the declaration to the instruments of ratification that the U.S. declares that, as an integral factor in its decision to adhere to the Treaty, it intends to continue to negotiate with the USSR a treaty effecting reductions in strategic nuclear forces of the parties and, in conjunction with its NATO allies, to negotiate a treaty effecting reductions in the conventional forces of NATO and the Warsaw Pact, and in so doing, that it shall be guided by the following: a main object shall be to obtain general equivalence in the parties' forces; the U.S. shall act in consultation with NATO allies; continual consultation with the U.S. Senate and that judgments and recommendations of the Senate shall be given plenary consideration; stringent verification and compliance regimes shall be sought; the U.S shall not be bound to adhere to any contemplated treaty until verification and Senate approval; any joint negotiating framework for contemplated treaties shall only serve as a guide for the conduct of negotiations and shall not constrain any U.S. military programs unless otherwise provided for under the Arms Control and Disarmament Act; and the U.S. considers full and exact compliance with the present Treaty and with all other existing arms control agreements between the parties to be a major issue affecting any future treaties.

NOTE: Due to confusion regarding a second-degree amendment, the primary sponsor of the amendment made no statements in support of the amendment. Although the second-degree amendment was later withdrawn, many Senators voted against the tabling motion out of respect for a prior agreement between the sponsor of the amendment and the Majority and Minority Leaders calling for a freestanding vote on the Helms amendment.

Motion to table failed. Yeas 38 (38D), Nays 60 (14D-46R), Not Voting 2 (2D). May 26, 1988.

VOTE NO. 160

Byrd motion to table the Wilson, et al., amendment which provides that the Senate's advice and consent to ratification of the Treaty is subject to the condition that the U.S. shall not be bound to any interpretation of this Treaty that is not equally binding on the Soviet Union under applicable international law.

Motion to table agreed to. Yeas 53 (50D-3R), Nays 45 (2D-43R), Not Voting 2 (2D). May 26, 1988.

VOTE NO. 161

Pell-Lugar motion to table the Wallop-Karnes, et al., amendment which requires the President to inform the Soviet Union, prior to exchanging the instruments of ratification, that the U.S. will consider any Soviet violation of the Treaty as grounds for withdrawing from the Treaty; requires the President to (1) agree to submit annually to the Senate a report which certifies whether the Soviet Union is in compliance, assesses the overall strategic balance and the effectiveness of this and other arms control treaties in ensuring a stable nuclear balance, and lists possible suspected violations, and (2) transmit to the Soviet Union the declaration that the Treaty should no longer remain in force if the Senate adopts a resolution by majority vote that disapproves the President's compliance certification; and requires the President, within 90 days of certifying a possible violation, to certify the appropriate response to the violation or that the Soviet Union has returned to compliance and how it has done so.

Motion to table agreed to. Yeas 66 (48D-18R), Nays 30 (2D-28R), Not Voting 4 (4D). May 27, 1988.

VOTE NO. 162

Pell-Lugar motion to table the Pressler amendment which prohibits the exchange of the instruments of ratification unless the President personally certifies to the Senate whether the Soviet Union is in full compliance with the Helsinki Accords regarding human rights.

Motion to table agreed to. Yeas 86 (50D-36R), Nays 10 (10R), Not Voting 4 (4D). May 27, 1988.

VOTE NO. 163

Byrd motion to table the Specter amendment which defines the term "common understanding" included in the Byrd perfecting amendment (Vote No. 158) as "a shared interpretation which is both authoritatively communicated to the Senate by the executive and clearly intended, generally understood, and relied upon by the Senate in its advice and consent to ratification."

Motion to table agreed to. Yeas 67 (51D–16R), Nays 30 (30R), Not Voting 3 (3D). May 27, 1988.

VOTE NO. 164

Byrd motion to table the Specter amendment which overturns the Byrd amendment (Vote No. 158) by adding to the resolution of ratification the statement that: notwithstanding any provision in the resolution of ratification, the Biden Condition as amended by the Byrd Condition, or any statement in Senate Committee reports on the INF Treaty, there is no Senate intent to change the heretofore accepted Constitutional law of the U.S. on treaty ratification as interpreted by the Supreme Court or heretofore accepted international law on treaties as interpreted by the Supreme Court.

Motion to table agreed to. Yeas 64 (51D–13R), Nays 33 (33R), Not Voting 3 (3D). May 27, 1988.

VOTE NO. 165

Helms, et al., modified amendment which adds the declaration to the instruments of ratification that the U.S. declares that, as an integral factor in its decision to adhere to the Treaty, it intends to continue to negotiate with the USSR a treaty effecting reductions in strategic nuclear forces of the parties and, in conjunction with its NATO allies, to negotiate a treaty establishing conventional stability in Europe, and in so doing, that it shall be guided by the following: a main object shall be to obtain general equivalence in the parties' strategic forces; the U.S. shall consult with its NATO allies; the U.S. Senate shall be fully apprised of all significant proposals made to the USSR and the judgments and recommendations of the Senate shall be given full and highest consideration; effective verification and compliance building on the present regime shall be sought; the U.S. shall not be bound to adhere to any contemplated treaty until ratification and Senate approval but nothing shall imply that the U.S. will take actions that will make a future treaty impossible; the U.S. considers full and exact compliance with the present Treaty and with all other existing arms control agreements between the parties to a major issue affecting any future treaties; any joint negotiating framework for contemplated treaties shall serve only as a guide for the conduct of negotiations and shall not constrain any U.S. military programs unless otherwise provided for under the Arms Control and Disarmanent Act; and the U.S. shall strengthen its ability to monitor and detect violations of any future contemplated treaty.

Amendment agreed to. Yeas 94 (49D–45R), Nays 4 (3D–1R), Not Voting 2 (2D). May 27, 1988.

VOTE NO. 166

Adoption of the resolution of ratification of the Treaty between the U.S. and the Soviet Union which calls for the elimination, over a three-year period, of all existing intermediate-range and shorter-range missiles in the U.S. and Soviet arsenals, as well as the launchers and certain support facilities for the missiles; prohibits intermediate-range and shorter-range missiles and equipment thereafter; and contains a condition to ratification which insures that future administrations cannot reinterpret the Treaty without Senate approval.

NOTE: The INF Treaty consists of the following documents transmitted to the Senate by the President on January 25, 1988, all of which were signed at Washington on December 8, 1987:

1. A Treaty of unlimited duration with a preamble and 17 articles which requires the United States and the Soviet Union to: eliminate all intermediate-range (1,000–5,500 kilometers) missiles and launchers in phases over three years; eliminate all shorter-range (500–1,000 kilometers) missiles and launchers within 18 months; and not produce, flight test, or possess such systems for the indefinite duration of the Treaty.

2. A Memorandum of Understanding (MOU) regarding the establishment of a detailed data base on the locations of deployment areas, missile operating bases, and missile support facilities, as well as numbers of missiles, launchers, and support

Voted

INF TREATY—Continued

structures and equipment (the initial data exchange occurred on November 1, 1987).

3. A Protocol on Elimination setting forth detailed procedures governing elimination of missile systems subject to the Treaty.

4. A Protocol on Inspection setting forth the procedures under which the Treaty's on-site inspection provisions will be conducted, with an Annex on the privileges and immunities to be accorded inspectors and aircrew members.

Resolution of ratification agreed to. Yeas 93 (51D-42R), Nays 5 (1D-4R), Not Voting 2 (2D). May 27, 1988. -------

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FIRST BUDGET RESOLUTION, FY 1989 (H. Con. Res. 268)

VOTE NO. 167

Adoption of the conference report on the concurrent resolution which sets forth recommended levels of total new budget authority, outlays, and revenues for FY 1989-91 resulting in a deficit of $135.3 billion—which is $700 million below the $136.0 billion deficit target established by Gramm-Rudman-Hollings.

Contains $299.5 billion in budget authority and $294 billion in outlays for defense programs, $18.1 billion in budget authority and $16.1 billion in outlays for discretionary international affairs programs, and $148.10 billion in budget authority and $169.20 billion in domestic discretionary spending; provides a revenue level of $964.40 billion in FY 1989, including a revenue loss of $350 million, relative to the current law baseline, to accommodate enactment of the Omnibus Trade bill and the Canada-U.S. Free Trade Agreement; includes $299.5 billion in BA and $294.0 billion in outlays in FY 1989; assumes that $100 million in Federal funding will be made available to assist SEMATECH in its start-up efforts and that sufficient funding will be made available for the Defense Waste and Transportation Management Program to provide for cleanup at affected sites, including Hanford and Savannah River.

Allows up to $2.6 billion in new budget authority and $1.4 billion in outlays for funding anti-drug initiatives in FY 1989, if the appropriate congressional committees report deficit-neutral legislation making funds available and the President and Congress agree, through the normal legislative process, that a state of dire emergency exists to justify increasing spending levels.

Assumes the allocation of BA and outlays in FY 1988 and/or 1989 to the Senate Finance Committee for deficit neutral welfare reform and Medicare catastrophic health insurance initiatives and provides for adjustment of the aggregates for FY 1989-91 when legislation is reported making funds available for these initiatives.

Expresses the sense of the Congress that the National Economic Commission should study the budgetary treatment of the social security and other trust funds as well as self-supporting public enterprise funds, including the Postal Service, to determine if they should be removed from the Federal budget.

Contains sense of the Congress language that would prevent the allocation to committees in FY 1989 of the proceeds from asset sales and loan prepayments.

Conference report agreed to. Yeas 58 (37D-21R), Nays 29 (9D-20R), Not Voting 13 (8D-5R). June 6, 1988. -------

Action completed.

PERSIAN GULF/WAR POWERS (S.J. Res. 305)

VOTE NO. 168

Byrd point of order that the joint resolution (which states the congressional determination that the requirements of section 4(a)(1) of the War Powers Resolution became operative on April 14, 1988, specifically authorize the continued use of U.S. forces in the Persian Gulf, and requires that U.S. escorting and convoying of Kuwaiti reflagged vessels be terminated by September 18, 1988) is not a privileged measure under the War Powers Res-

olution (P.L. 93-148). The question is: "Shall the point of order be sustained?"

Note: The bill was returned to the Foreign Relations Committee after the point of order against the privileged status was sustained.

Point of order sustained. Yeas 54 (19D-35R), Nays 31 (28D-3R), Not Voting 15 (7D-8R). June 6, 1988.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 169

Reconsideration of the vetoed bill which seeks to improve the U.S. trade balance through a comprehensive restructuring of U.S. trade laws, including those affecting trade negotiating authority and unfair trade practices and foreign trade barriers; establishes training and education programs to enhance American competitiveness; requires advance notice of plant closings and mass layoffs; establishes demonstration programs to address the needs of displaced U.S. workers; and repeals the windfall profits tax.

Note: On May 24, 1988, the President vetoed H.R. 3, citing his objection to the requirement for the advance notification of closings and layoffs. The President stated: "I object to the idea that the Federal government would arbitrarily mandate, for all conditions and under all circumstances, exactly when and in what form that notification should take place. There are many circumstances under which such mandatory notification would actually force a faltering business to close—by driving away creditors, suppliers, customers, and—in the process destroying outcome, its 'faltering business' exemption is too ambiguous to be workable and invites untold litigation." (These provisions were subsequently reintroduced as a separate bill, S. 2527, which passed the Senate on July 6, 1988 [Vote No. 225] and became Public Law 100-379 without the President's signature.)

The President also cited other provisions which, in his opinion, provided disincentives to sustained economic growth or which served a narrow special interest, including the provisions restricting Alaskan oil, establishing an international debt authority, and expanding ethanol imports.

The House overrode the President's veto by a vote of 308 to 113 on May 24, 1988. A motion to reconsider this vote by which the Senate sustained the veto is pending.

See Vote No. 110 on the conference report and Vote No. 288 on passage of a second trade bill which omitted the plant closing provisions.

Veto sustained. Yeas 61 (51D-10R), Nays 37 (2D-35R), Not Voting 2 (1D-1R). June 8, 1988.

Veto sustained.

MEDICARE CATASTROPHIC ILLNESS COVERAGE (H.R. 2470)

VOTE NO. 170

Adoption of the conference report for the bill which provides protection for medicare beneficiaries from catastrophic expenses associated with covered medicare services; automatically enrolls all medicare part B participants in the catastrophic insurance program; establishes an annual limit on out-of-pocket expenses incurred under part A or B individually or combined for medicare-covered services ($2,146 in 1990); phases in medicare prescription drug coverage; indexes the out-of-pocket expenses cap and the prescription drug coverage to maintain a constant level of beneficiaries; finances the catastrophic benefits through a combination of an increase in the basic monthly part B premium and an income-related supplemental premium based on tax liability; and requires State medicaid programs to (1) pay medicare premiums, deductibles, and coinsurance for elderly and disabled individuals with incomes below the Federal poverty line who do not qualify for medicaid and (2) extend medicaid coverage to pregnant women and infants up to one year of age with incomes below the Federal poverty line.

Conference report agreed to. Yeas 86 (52D-34R), Nays 11 (11R), Not Voting 3 (2D-1R). June 8, 1988.

Became Public Law 100-360.

Voted

DEATH PENALTY/DRUG-RELATED KILLINGS (S. 2455)

VOTE NO. 171

D'Amato motion to table the Levin-Evans-Danforth modified amendment (as a substitute for the bill) which requires a mandatory life sentence without the possibility of release for the drug-related murder of a law enforcement officer or other innocent person (in lieu of the death penalty); imposes a sentence of 20 years to life imprisonment for the drug-related murder of persons involved in a continuing criminal enterprise; and prohibits the imposition of a mandatory life sentence without parole on any person who was under 18 years of age when the crime was committed.

Motion to table agreed to. Yeas 65 (27D-38R), Nays 31 (24D-7R), Not Voting 4 (3D-1R). June 9, 1988. -------

VOTE NO. 172

Dole, et al., motion to close further debate on the bill which authorizes the imposition of the death penalty for drug-related killings of innocent persons and law enforcement officers.

Cloture motion agreed to. Yeas 70 (31D-39R), Nays 26 (20D-6R), Not Voting 4 (3D-1R). June 9, 1988. -------

POLYGRAPH PROTECTION (H.R. 1212)

VOTE NO. 173

Adoption of the conference report for the bill which prohibits polygraph examinations by the private sector, except under limited specified circumstances.

Conference report agreed to. Yeas 68 (48D-20R), Nays 24 (1D-23R), Not Voting 8 (5D-3R). June 9, 1988. -------

Became Public Law 100-347.

DEATH PENALTY/DRUG-RELATED KILLINGS (S. 2455)

VOTE NO. 174

D'Amato motion to table the Simon amendment which restricts the use of the death penalty to the drug-related killing of a law enforcement officer.

Motion to table agreed to. Yeas 66 (26D-40R), Nays 28 (24D-4R), Not Voting 6 (4D-2R). June 10, 1988. -------

VOTE NO. 175

Passage of the bill which authorizes the imposition of the death penalty for drug-related killings of innocent persons and law enforcement officers; sets forth procedures to be followed before the death penalty may be imposed; and requires that executions be carried out in public.

Bill passed. Yeas 65 (28D-37R), Nays 29 (23D-6R), Not Voting 6 (3D-3R). June 10, 1988. -------

VIETNAM WOMEN VETERANS MEMORIAL (S. 2042)

VOTE NO. 176

Passage of the bill which authorizes the Vietnam Women's Memorial Project, Inc. to construct and erect a statue of a woman Vietnam veteran at the 2.3 acre Vietnam Veterans Memorial in Washington, D.C. in honor and recognition of the women of the U.S. who served in the Vietnam conflict.

NOTE: The bill was cleared for the President after the Senate receded from its amendments.

Bill passed. Yeas 96 (51D-45R), Nays 1 (1R), Not Voting 3 (3D). June 14, 1988. -------

Became Public Law 100-660.

LEGISLATIVE APPROPRIATIONS, 1989 (H.R. 4587)

VOTE NO. 177

Byrd motion to proceed to the consideration of the bill making appropriations for the legislative branch for FY 1989.

Motion to proceed agreed to. Yeas 89 (51D-38R), Nays 8 (8R), Not Voting 3 (3D). June 14, 1988. -------

VOTE NO. 178

Passage of the bill which appropriates $1,778,331,200 in new budget authority for the legislative branch for FY 1989 of which $1.196 billion is for the Senate, House, and joint items, as well as the Office of Technology Assessment, CBO, CRS, and congressional printing done by GPO, and $572 million is for other agencies which includes the Botanic Garden, Library of Congress, GAO, and the Copyright Royalty Tribunal; requires an affirmative vote of Congress before any pay raise for members of Congress can take effect; and contains $10 million to provide for the establishment of the John C. Stennis Center for Public Service Training and Development at Mississippi State University.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$1,745,501,500
1989 Budget Estimate	1,966,329,200
Approved by House	1,400,152,000
Approved by Senate	1,778,331,200
Enacted	1,804,624,200

NOTE: The Senate agreed to the conference report by voice vote on September 30, 1988.

Bill passed. Yeas 78 (47D–31R), Nays 18 (3D–15R), Not Voting 4 (4D). June 14, 1988.

Became Public Law 100–458.

ENERGY-WATER APPROPRIATIONS, 1989 (H.R. 4567)

VOTE NO. 179

Byrd motion to proceed to consideration of the bill.

Motion to proceed agreed to. Yeas 96 (51D–45R), Nays 2 (1D–1R), Not Voting 2 (2D). June 14, 1988.

VOTE NO. 180

Reid appeal of the Chair's ruling that the Reid–Hecht amendment (which increases from $11 million to $18 million the appropriation to Nevada to conduct its oversight responsibilities pursuant to the Nuclear Waste Policy Act, as deemed necessary to protect the health and safety of Nevada's citizens) violates rule XVI (which prohibits legislation on an appropriation bill) and is out of order. The question is: "Shall the Chair's decision stand as the judgment of the Senate?"

Point of order sustained. Yeas 68 (29D–39R), Nays 29 (22D–7R), Not Voting 3 (3D). June 14, 1988.

VOTE NO. 181

Passage of the bill which appropriates $17,956,901,000 in new budget authority for energy and water development in FY 1989; contains $4.2 billion for Federal water resources development programs; $8.1 billion for atomic energy defense activities; $255 million for SDI research; $976.5 million for defense nuclear waste and environmental restoration activities; $2.21 billion for energy supply, R&D, and demonstration programs; $934.6 million for general science and research activities in life sciences, high energy physics, and nuclear physics; $325.7 million for the various power marketing administrations; $451.5 million for various regulatory and independent agencies; and $369.8 million for DOE's Nuclear Waste Fund.

NOTE: See Vote No. 226 on the conference report.

Bill passed. Yeas 92 (50D–42R), Nays 5 (1D–4R), Not Voting 3 (3D). June 15, 1988.

MILITARY CONSTRUCTION APPROPRIATIONS, 1989 (H.R. 4586)

VOTE NO. 182

Byrd motion to proceed to the consideration of the bill.

Motion to proceed agreed to. Yeas 97 (51D–46R), Nays 1 (1D), Not Voting 2 (2D). June 15, 1988.

VOTE NO. 183

Sasser–Bradley–Graham amendment stating the sense of the Senate that, during the Toronto Economic Summit, the President should consult with the leaders of allied countries on the impact on western security of tied and untied loans, trade credits, direct investments, joint ventures, lines of credit, and guar-

MILITARY CONSTRUCTION APPROPRIATIONS, 1989—Continued

antees or other subsidies to the Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, or Nicaragua.

Amendment agreed to. Yeas 96 (52D-44R), Nays 0, Not Voting 4 (2D-2R). June 15, 1988. -------

VOTE NO. 184

Passage of the bill which appropriates a total of $8,582,359,000 in new budget authority for the military construction functions administered by the Department of Defense in FY 1989; prohibits funds appropriated to the Air Force for construction in support of relocating of the 401st Tactical Fighter Wing based in Spain; prohibits funds for new family housing units in Korea or to expand accompanied tours in Korea pending a review of future U.S. base and force structure in that country; prohibits obligation of funds to contractors from countries which permit untied, general purpose loans to the Soviet Union, Warsaw Pact countries, Cuba, Nicaragua, Vietnam, or Libya, and permits the Secretary to waive this prohibition upon certification to the Appropriations Committees that individual projects are vital to U.S. security interests.

Prohibits obligation of the funds for construction of facilities at Warren Air Force Base, Wyoming, to support the rail garrison basing mode for the MX missile sytem until the Secretary has provided a report to the Committee after February 15, 1989, indicating that the rail garrison basing mode has been certified by the President as the policy of the U.S. government.

Requires notification of the Appropriations Committees within 24 hours of a determination by the President or the Secretary of Defense to utilize premobilization construction authority.

Prohibits the use of funds to initiate design on the proposed Pentagon II complex.

Budget Authority Considered

1988 Appropriations	$8,500,000,000
1989 Budget Estimate	9,011,900,000
Approved by House	9,009,795,000
Approved by Senate	8,796,359,000
Enacted	8,797,000,000

Note: The Senate agreed to the conference report by voice vote on September 14, 1988.

Bill passed. Yeas 93 (50D-43R), Nays 2 (1D-1R), Not Voting 5 (3D-2R). June 15, 1988. -------

Became Public Law 100-447.

BICENTENNIAL COIN/FSLIC (H.R. 3251)

VOTE NO. 185

Proxmire motion to table the Graham perfecting amendment (to the Proxmire amendment) which permits the Federal Savings and Loan Corporation (FSLIC) to establish criteria for measuring the degree to which any insured institution poses a risk to FSLIC's reserves and to assess an additional premium against any insured institution in accordance with the risk determination.

Motion to table agreed to. Yeas 80 (38D-42R), Nays 15 (13D-2R), Not Voting 5 (3D-2R). June 15, 1988. -------

VOTE NO. 186

Passage of the bill which authorizes the Treasury Department to mint up to $8 million in U.S. coins to commemorate the bicentennial of Congress and makes the income from the sale of the coins available to the U.S. Capitol Restoration Commission for improvements to or acquisitions for the U.S. Capitol; extends for one year, from August 10, 1988, to August 10, 1989, the moratorium on thrift institutions leaving the Federal Savings and Loan Corporation; and provides for the minting of coins to commemorate the Bicentennial of the U.S. Constitution, the 100th anniversary of the birth of Dwight David Eisenhower, and the 100th

Voted

anniversaries of Idaho, Montana, North Dakota, South Dakota, Washington, and Wyoming.

NOTE: A House-Senate compromise version of the bill was cleared for the President on July 13, 1988.

Bill passed. Yeas 96 (52D-44R), Nays 0, Not Voting 4 (2D-2R). June 15, 1988. -------

Became Public Law 100-378.

CORPORATE TAKEOVERS (S. 1323)

VOTE NO. 187

Byrd motion to proceed to the consideration of the bill which expands the existing requirements for disclosure of major stock acquisitions and strengthens the ability of the Securities and Exchange Commission to deter tender offer abuses and insider trading.

Motion to proceed agreed to. Yeas 79 (43D-36R), Nays 12 (3D-9R), Not Voting 9 (8D-1R). June 16, 1988. -------

WELFARE REFORM (H.R. 1720)

VOTE NO. 188

Moynihan motion to table the Dole-Armstrong amendment which requires that one parent in a two-parent AFDC-Unemployed Parent (AFDC-UP) household participate for a minimum 16 hours a week in either a work supplementation or a community work experience program. (Any State with a current AFDC-UP program will not have complied with this requirement unless it has 50 percent participation from the present through September 30, 1994, and 100 percent participation thereafter; States without a current program will have until 1996 to achieve 100 percent participation.)

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 41 (38D-3R), Nays 54 (14D-40R), Not Voting 5 (2D-3R). June 16, 1988. -------

VOTE NO. 189

Passage of the bill which amends Title IV of the Social Security Act to replace the AFDC program with a comprehensive program of mandatory child support and work training which provides for transitional child care and medical assistance, benefits improvement, and mandatory extension of coverage to two-parent families.

NOTE: See Vote No. 341 on the conference report.

Bill passed. Yeas 93 (52D-41R), Nays 3 (1D-2R), Not Voting 4 (1D-3R). June 16, 1988. -------

BIOTECHNOLOGY COMPETITIVENESS (S. 1966)

VOTE NO. 190

Passage of the bill which amends the Public Health Service Act to establish a National Center for Biotechnology Information, a National Biotechnology Policy Board with an Advisory Panel on the Human Genome and an Advisory Panel on Agricultural Biotechnology; authorizes a 20-year agricultural research program focusing on the development and production of new marketable industrial and commercial products; and reauthorizes the Congressional Biomedical Ethics Board for three years, through FY 1991.

Bill passed. Yeas 88 (48D-40R), Nays 1 (1D), Not Voting 11 (5D-6R). June 17, 1988. -------

NATIONAL SCIENCE FOUNDATION AUTHORIZATION (H.R. 4418)

VOTE NO. 191

Passage of the bill which reauthorizes the National Science Foundation for five years, through FY 1993 at a level of $2.050 billion in FY 1989, $2.158 billion in 1990, $2.474 billion in 1991, $2.831 billion in 1992, and $3.245 billion in 1993; expands the function of NSF to foster and support efforts by those academic institutions and States which historically have received little Federal research funding to improve their research and research

Voted

NATIONAL SCIENCE FOUNDATION AUTHORIZATION—Continued

infrastructure; and increases funding for basic research to help preserve the U.S. lead in science, engineering, and technology.

NOTE: A House-Senate compromise version of the bill was cleared for the President on October 14, 1988.

***Bill passed. Yeas 88 (48D-40R), Nays 1 (1D), Not Voting 11 (5D-6R).* June 17, 1988.** -------

Became Public Law 100-570.

GREAT SMOKY MOUNTAINS WILDERNESS (H.R. 1495)

VOTE NO. 192

Sasser, et al., motion to close further debate on the bill.

Cloture motion rejected. Yeas 49 (44D-5R), Nays 35 (35R), Not Voting 16 (10D-6R). June 20, 1988. -------

CORPORATE TAKEOVERS (S. 1323)

VOTE NO. 193

Division I-A of the Armstrong-Metzenbaum-Shelby-Gramm amendment which prohibits golden parachutes (severance packages for top corporate executives that take effect after a takeover) unless approved in advance by shareholders and requires that existing golden parachutes be approved by shareholders within two years to remain in effect.

Amendment agreed to. Yeas 98 (53D-45R), Nays 1 (1R), Not Voting 1 (1D). June 21, 1988. -------

VOTE NO. 194

Proxmire motion to table Division I-B of the Armstrong-Metzenbaum-Shelby-Gramm amendment which prohibits "poison pills" (a special issue of preferred stock which is triggered upon a takeover that has the effect of diluting the ownership of all other stock) unless approved by shareholders and requires that existing poison pills be approved by shareholders within two years to remain in effect.

Motion to table failed. Yeas 40 (33D-7R), Nays 57 (19D-38R), Not Voting 3 (2D-1R). June 21, 1988. -------

GREAT SMOKY MOUNTAINS WILDERNESS (H.R. 1495)

VOTE NO. 195

Sanford, et al., second motion to close further debate on the motion to proceed to consideration of the bill.

Cloture motion rejected. Yeas 54 (51D-3R), Nays 42 (42R), Not Voting 4 (3D-1R). June 21, 1988. -------

RETAIL COMPETITION ENFORCEMENT (S. 430)

VOTE NO. 196

Byrd motion to proceed to the consideration of the bill which amends the Sherman Antitrust Act to codify the current judicial presumption that vertical price-fixing (where the manufacturer and the retailer agree to set prices) is *per se* illegal and to clarify the evidence needed to permit a trier of fact to determine if there has been a violation of the Act.

***Motion to proceed agreed to. Yeas 62 (43D-19R), Nays 28 (2D-26R), Not Voting 10 (9D-1R).* June 21, 1988.** -------

PLANT CLOSING NOTIFICATION (S. 2527)

VOTE NO. 197

Dole motion to table the Byrd motion to proceed to the consideration of the bill.

***Motion to table failed. Yeas 30 (30R), Nays 61 (48D-13R), Not Voting 9 (6D-3R).* June 22, 1988.** -------

VOTE NO. 198

Byrd motion to proceed to the consideration of the bill.

Motion to proceed agreed to. Yeas 64 (49D–15R), Nays 29 (29R), Not Voting 7 (5D–2R). June 22, 1988. -------

ANTI-DRUG SUMMIT (S. Res. 442)

VOTE NO. 199

Adoption of the resolution stating the sense of the Senate that the President should convene an International Conference on Combatting Illegal Drug Production, Trafficking, and Use in the Western Hemisphere; and specifies that the conference should focus exclusively on combatting the drug trade and, in particular, emphasize enhancing cooperative efforts among Western Hemisphere countries.

Resolution agreed to. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). June 23, 1988. -------

PLANT CLOSING NOTIFICATION (S. 2527)

VOTE NO. 200

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 72 (48D–24R), Nays 20 (20R), Not Voting 8 (6D–2R). June 23, 1988. -------

IRAQI CHEMICAL WEAPONS USE (S. Res. 408)

VOTE NO. 201

Adoption of the resolution which condemns the use of chemical weapons by Iraq and expresses concern about reported Iranian use of these weapons; calls upon Iraq to stop using chemical weapons and urges the President to make appropriate diplomatic efforts to prevent Iran from developing or using these weapons; and urges the President to seek allied cooperation to tighten export controls on chemical compounds to countries seeking to develop a chemical weapons capability, and to pursue American efforts at the Geneva Conference on Disarmament to reach an arms control agreement banning such weapons.

Resolution agreed to. Yeas 91 (49D–42R), Nays 0, Not Voting 9 (5D–4R). June 24, 1988. -------

PLANT CLOSING NOTIFICATION (S. 2527)

VOTE NO. 202

Metzenbaum motion to table the Quayle modified amendment which provides a complete defense for any action brought for noncompliance with the plant closing notification provision if the employer has paid, within three weeks of the shutdown or layoff, an amount equal to the higher of the employee's final rate of pay or final three-year average for each day for which notice was not provided.

Motion to table agreed to. Yeas 59 (51D–8R), Nays 31 (31R), Not Voting 10 (3D–7R). June 24, 1988. -------

VOTE NO. 203

Metzenbaum motion to table the Thurmond-Hatch, et al., amendment which applies the Hobbs Act (the Federal extortion statute) to cases of labor violence.

Motion to table agreed to. Yeas 60 (48D–12R), Nays 27 (1D–26R), Not Voting 13 (5D–8R). June 24, 1988. -------

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989 (H.R. 4775)

VOTE NO. 204

Bentsen motion to table the Melcher amendment which exempts local, nonprofit senior citizen organizations that provide services under the Older Americans Act and have annual gross revenue of less than $50,000 from the user fee that the IRS charges for certifying that an organization is nonprofit and deserving of tax-exempt status and requires the IRS to adjust the

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989—Continued

fees charged to the larger nonprofit organizations in order to maintain the revenue neutrality of this provision.

Motion to table agreed to. Yeas 63 (37D–26R), Nays 21 (11D–10R), Not Voting 16 (6D–10R). June 24, 1988. -------

NOMINATION OF HENRY F. COOPER TO BE AN AMBASSADOR

VOTE NO. 205

Confirmation of the nomination of Henry F. Cooper, of Virginia, to the rank of Ambassador during his tenure as U.S. Negotiator for Defense and Space Arms.

Nomination confirmed. Yeas 71 (39D–32R), Nays 0, Not Voting 29 (15D–14R). June 27, 1988. -------

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989 (H.R. 4775)

VOTE NO. 206

McClure appeal of the ruling of the Chair that the McClure amendment (which requires the President to consider the extent to which a nation [Soviet Union] has complied with humanitarian provisions in the Helsinki Accords before granting Most-Favored-Nation status to that nation) violates rule XVI (which prohibits legislation on an appropriation bill) and is out of order. The question is: "Shall the decision of the Chair stand as the judgment of the Senate?"

Decision of chair sustained. Yeas 57 (37D–20R), Nays 24 (6D–18R), Not Voting 19 (11D–8R). June 27, 1988. -------

VOTE NO. 207

Passage of the bill which appropriates a total of $15,917,514,000 in new budget authority for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies for FY 1989, including $1.2 billion for the U.S. Customs Service; $5.1 billion for IRS; and $7.4 billion for Federal personnel activities.

Prohibits the Bureau of Alcohol, Tobacco and Firearms from implementing regulations with regard to ingredient labeling and directs the Bureau to submit quarterly reports on the number of career criminals and repeat offenders apprehended, prosecuted, and convicted under the Armed Career Criminal Act.

Continues a multiyear effort to repair, alter, construct, and renovate Southwest border stations and other facilities at entry points from California to Texas.

Includes provisions to assure that mail for overseas voting and for the blind will continue to be free, that six day delivery and rural delivery of mail will continue at the 1983 level, and that none of the funds provided shall be used to consolidate or close small rural and other small post offices in FY 1989.

Prohibits the Office of Management and Budget from (1) acting with regard to USDA marketing orders, (2) interfering with the administration of the Federal Alcohol Administration as it relates to regulation of alcoholic beverage labeling, and (3) altering certain transcripts.

Provides a four percent pay raise for all Federal civilian employees in FY 1989 (except Members of Congress); requires both Houses of Congress to approve any increase in Members rates of pay by passage of a joint resolution before an increase can become effective.

Directs GAO to report by March 1, 1989, on HHS guidelines and the recently finalized agency drug testing plans to determine if they comply with the requirements of P.L. 100–71, the FY 1987 Supplemental Appropriation bill.

Restates the current prohibition on the use of Federal funds for abortions or administrative expenses in connection with any health plan under the Federal Health Benefit Program except where the life of the mother would be endangered if the fetus were carried to term.

Budget Authority Considered

1988 Appropriations	$15,115,699,000
1989 Budget Estimate	16,163,725,000
Approved by House	16,113,771,000
Approved by Senate	15,917,514,000
Enacted	16,019,910,000

Voted

NOTE: The Senate agreed to the conference report by voice vote on September 8, 1988.

Bill passed. Yeas 81 (45D–36R), Nays 4 (1D–3R), Not Voting 15 (8D–7R). June 27, 1988. --------

Became Public Law 100–440.

PLANT CLOSING NOTIFICATION (S. 2527)

VOTE NO. 208

Metzenbaum motion to table the Kassebaum-Dole, et al., amendment (as a substitute for the bill) which requires 60 days notice prior to any plant closing involving the employment loss of at least 50 employees, narrows the definition of plant closing to exclude operating units and facilities within a single site of employment, but does not require any notice for plant layoffs regardless of the number of workers affected or the duration of the layoff.

Motion to table agreed to. Yeas 64 (52D–12R), Nays 32 (32R), Not Voting 4 (2D–2R). June 27, 1988. --------

VOTE NO. 209

Metzenbaum motion to table the Hatch amendment which states that nothing in this Act shall require an employer to serve a written 60 day notice when permanently replacing a person who is deemed to be an economic striker under the National Labor Relations Act.

Motion to table agreed to. Yeas 53 (46D–7R), Nays 37 (2D–35R), Not Voting 10 (6D–4R). June 27, 1988. --------

VOTE NO. 210

Proxmire motion to table the Gramm amendment which exempts from the definition of "employer," banks and savings and loans that in the judgment of the Federal Deposit Insurance Corporation or Federal Home Loan Bank Board, respectively, are in danger of closing.

Motion to table agreed to. Yeas 63 (49D–14R), Nays 29 (1D–28R), Not Voting 8 (4D–4R). June 27, 1988. --------

WORK INCENTIVE (WIN) PROGRAM EXTENSION (H.R. 4731)

VOTE NO. 211

Passage of the bill which extends the authority for the Work Incentive Demonstration Program from June 30, 1988, through September 30, 1990.

Bill passed. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). June 28, 1988. --------

Became Public Law 100–364.

PLANT CLOSING NOTIFICATION (S. 2527)

VOTE NO. 212

Hatch-Metzenbaum amendment which adds language that an employer is not required to serve written notice when permanently replacing a person who is deemed to be an economic striker under the National Labor Relations Act (NLRA), provided that nothing in this Act shall be deemed to validate or invalidate any judicial or administrative ruling relating to the hiring of permanent replacements for economic strikers under the NLRA.

Amendment agreed to. Yeas 91 (48D–43R), Nays 0, Not Voting 9 (6D–3R). June 28, 1988. --------

VOTE NO. 213

Metzenbaum motion to table the Quayle amendment which exempts an employer from the requirement to serve notice under the Act, if the plant closing or mass layoff is due, directly or indirectly, to a strike.

NOTE: The bill already exempts strike situations.

Motion to table agreed to. Yeas 60 (49D–11R), Nays 37 (3D–34R), Not Voting 3 (2D–1R). June 28, 1988. --------

Voted

PLANT CLOSING NOTIFICATION—Continued

VOTE NO. 214

Metzenbaum motion to table the Domenici amendment (as a substitute for the bill) which eliminates the requirement for 60 days notice for all mass layoffs except those caused by hostile takeovers.

Motion to table agreed to. Yeas 62 (51D–11R), Nays 34 (34R), Not Voting 4 (3D–1R). June 28, 1988. --------

VOTE NO. 215

Hatch amendment which specifies that the mailing of a notice to an employee's last known address or inclusion of the notice in the employee's paycheck will be considered acceptable methods for fulfilling the employer's obligation under this Act to give notice of a plant closing or mass layoff to each affected employee.

Amendment agreed to. Yeas 95 (50D–45R), Nays 0, Not Voting 5 (4D–1R). June 28, 1988. --------

VOTE NO. 216

Hatch modified amendment which specifies that employees will receive notice of a plant closing or mass layoff that occurs incident to the sale of a business, from either the seller or the purchaser.

Amendment agreed to. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). June 28, 1988. --------

VOTE NO. 217

Hatch amendment which makes technical clarifications to the bill and conforms the section that provides for the awarding of attorneys' fees to existing statutes on the subject.

Amendment agreed to. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). June 28, 1988. --------

VOTE NO. 218

Dole amendment which provides that no notice under this Act shall be required if the plant closing or mass layoff is due to any form of natural disaster, such as a flood, earthquake, or drought.

Amendment agreed to. Yeas 95 (51D–44R), Nays 0, Not Voting 5 (3D–2R). June 28, 1988. --------

VOTE NO. 219

Metzenbaum motion to table the Gramm amendment which permits an employer to close a plant or lay off workers before the 60-day notification period has elapsed if 50 percent or more of the notified employees voluntarily terminate their employment, or if sufficient employees voluntarily terminate their employment so as to disrupt the efficient functioning of the business enterprise.

Motion to table agreed to. Yeas 59 (49D–10R), Nays 34 (34R), Not Voting 7 (5D–2R). June 28, 1988. --------

VOTE NO. 220

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 79 (53D–26R), Nays 18 (18R), Not Voting 3 (1D–2R). June 29, 1988. --------

VOTE NO. 221

Metzenbaum, et al., motion to close further debate on the bill.

Cloture motion rejected. Yeas 58 (53D–5R), Nays 39 (39R), Not Voting 3 (1D–2R). June 29, 1988. --------

VOTE NO. 222

Reid, et al., second motion to close further debate on the bill.

Cloture motion agreed to. Yeas 88 (53D–35R), Nays 5 (5R), Not Voting 7 (1D–6R). July 6, 1988. --------

VOTE NO. 223

Metzenbaum motion to table the Wilson amendment which exempts from the advance notification requirement those plant closings and mass layoffs caused by the inability of the employer to obtain, at competitive cost, sufficient supplies of materials required in manufacturing products or in providing services, including but not limited to an inability caused by an import re-

straint program of the U.S., whether or not imposed unilaterally.

Motion to table agreed to. Yeas 58 (50D-8R), Nays 37 (3D-34R), Not Voting 5 (1D-4R). July 6, 1988.

VOTE NO. 224

Metzenbaum motion to table the Quayle amendment which makes the advance notification requirements applicable to plant closings resulting in the unemployment of a minimum of 75 employees (rather than 50 as in the bill) and to mass layoffs which affect one-half of the workforce (rather than one-third as in the bill).

Motion to table agreed to. Yeas 63 (53D-10R), Nays 32 (32R), Not Voting 5 (1D-4R). July 6, 1988.

VOTE NO. 225

Passage of the bill which requires 60 days advance notice of: (1) a plant closing that results in an employment loss for at least 50 employees at the employment site, and (2) a layoff of more than six months that results in the employment loss for 50 or more employees, if 33 percent of the workforce at an employment site are affected, or that results in an employment loss for 500 employees, whether or not 33 percent of the workforce is affected.

NOTE: The provisions of S. 2527, as introduced, were adopted as part of the conference report on the Omnibus Trade and Competitiveness Act (H.R. 3), which the President vetoed on May 24, 1988, citing, among other things, his objection to the plant closing provisions.

Subsequently, on June 16, 1988, after the Senate failed to override the veto (Vote No. 169), the plant closing provisions, as agreed to by House-Senate conferees, was introduced (as a separate bill) in the Senate.

Bill passed. Yeas 72 (53D-19R), Nays 23 (23R), Not Voting 5 (1D-4R). July 6, 1988.

Became Public Law 100-379, without approval.

ENERGY-WATER APPROPRIATIONS, 1989 (H.R. 4567)

VOTE NO. 226

Adoption of the conference report on the bill which appropriates $17,831,995,000 in new budget authority for energy and water development in FY 1989, including $4.2 billion for Federal water resources development programs; $8.1 billion for atomic energy defense activities; $255 million for SDI research; $974.9 million for defense nuclear waste and environmental restoration activities; $2.1 billion for energy supply, R&D, and demonstration programs; $922.1 million for general science and research activities in life sciences, high energy physics, and nuclear physics; $325.7 million for the various power marketing administrations; $446.0 million for various regulatory and independent agencies and $369.8 million for DOE's Nuclear Waste Fund.

Prohibits the use of funds for Power Marketing Administrations or the TVA to pay procurement costs of extra high voltage power equipment not produced in the United States.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$16,914,598,000
1989 Budget Estimate	18,144,547,000
Approved by House	17,787,500,000
Approved by Senate	17,956,901,000
Enacted	17,831,995,000

Conference report agreed to. Yeas 91 (51D-40R), Nays 3 (1D-2R), Not Voting 6 (2D-4R). July 7, 1988.

Became Public Law 100-371.

MINORITY BUSINESS DEVELOPMENT (H.R. 1807)

VOTE NO. 227

Passage of the bill which amends the Small Business Act to ensure that the benefits of the Minority Small Business/Capital Ownership Development and the Section 8(a) contracting programs accrue to small businesses owned and controlled by individuals who are socially and economically disadvantaged; ensure that participating firms are better prepared to compete in the unsheltered marketplace after graduation; increase the number

MINORITY BUSINESS DEVELOPMENT—Continued

of minority-owned businesses capable of furnishing products and services to the U.S. government; and improve the administration of business development services and the management and distribution of Federal contracting opportunities to eligible small businesses under the program.

NOTE: The Senate agreed to the conference report by voice vote on October 18, 1988.

Bill passed. Yeas 92 (50D-42R), Nays 0, Not Voting 8 (4D-4R). July 7, 1988.

Became Public Law 100-656.

FOREIGN OPERATIONS APPROPRIATIONS, 1989 (H.R. 4637)

VOTE NO. 228

Kennedy, et al., amendment, as amended, to modify the requirement that the Administration's annual report on voting practices in the U.N. must be in the identical format as such previous reports and provides that the report's format be developed in consultation with the appropriate Congressional committees, provided such changes are approved by legislation.

Amendment agreed to. Yeas 93 (51D-42R), Nays 0, Not Voting 7 (3D-4R). July 7, 1988.

VOTE NO. 229

Inouye motion to table the Humphrey amendment which prohibits the $71 million in funding for the International Bank for Reconstruction and Development (World Bank) from being made available unless its loan policies are revised to reflect terms that are no more favorable than those which are available, on the average, to American farmers.

Motion to table agreed to. Yeas 48 (30D-18R), Nays 41 (17D-24R), Not Voting 11 (7D-4R). July 7, 1988.

VOTE NO. 230

Inouye motion to table the Humphrey amendment which strikes the $931.2 million funding for the U.S. contribution to the International Development Association (part of the World Bank).

Motion to table agreed to. Yeas 70 (42D-28R), Nays 19 (5D-14R), Not Voting 11 (7D-4R). July 7, 1988.

VOTE NO. 231

Passage of the bill which appropriates a total of $14,296,021,936 in new budget authority for foreign assistance and related agencies for FY 1989, including $3.7 billion for U.S. contributions to multilateral development banks, $1.7 billion for AID development assistance programs, $3.3 billion for the ESF, and $522.8 million for programs administered by the State Department.

Merges the military assistance program into an all foreign military credit sales forgiven program funded at $4.8 billion.

Adds Iran to the list of countries for which indirect assistance is prohibited absent Presidential determination; eliminates all assistance to Panama as well as its sugar export quota to the U.S.; extends through FY 1989 the prohibition against providing Stinger anti-aircraft missiles to any country other than Bahrain under the buy-back provisions in the Persian Gulf region, and requires Quatar, as a condition of receiving any U.S. defense articles or services, to return all Stinger missiles it has illegally acquired or purchased; permits Congress to prevent third-party arms transfers by passing a joint resolution of disapproval; permits commercial leasing of defense articles by Israel, Egypt, NATO, and major non-NATO allies, without exception, if the President determines that there are compelling foreign policy or national security reasons therefor; prohibits funds for assistance to Afghanistan that is provided through the Soviet-backed Government of Afghanistan; and prohibits the sale or delivery of any Maverick missiles to Kuwait under the July 7, 1988, certification.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$13,590,746,741
1989 Budget Estimate	14,307,969,987
Approved by House	14,299,842,666
Approved by Senate	14,296,021,936
Enacted	14,290,032,000

NOTE: The Senate agreed to the conference report by voice vote on September 30, 1988. See Vote Nos. 342 and 343 on amendments reported in disagreement.

Bill passed. Yeas 76 (45D–31R), Nays 15 (4D–11R), Not Voting 9 (5D–4R). July 7, 1988.

Became Public Law 100–461.

D.C. APPROPRIATIONS, 1989 (H.R. 4776)

VOTE NO. 232

Harkin motion to table the Exon amendment (to the Committee amendment) which prohibits Federal or District of Columbia funds from being used to perform abortions except in cases of rape, incest, ectopic pregnancy, and where the life of the mother would be endangered if the fetus were carried to term.

Motion to table agreed to. Yeas 49 (33D–16R), Nays 37 (12D–25R), Not Voting 14 (9D–5R). July 7, 1988.

VOTE NO. 233

Harkin motion to table the Humphrey amendment to prohibit Federal or District of Columbia funds from being used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

Motion to table agreed to. Yeas 51 (35D–16R), Nays 34 (10D–24R), Not Voting 15 (9D–6R). July 7, 1988.

VOTE NO. 234

Harkin appeal of the ruling of the Chair that the Armstrong amendment (which allows educational institutions in the District of Columbia that are affiliated with a religious organization or closely associated with the tenets of a religious organization [Georgetown University] to deny, restrict, abridge, or condition the use of any fund, service, facility, or benefit, or the granting of any endorsement, approval, or recognition to any organization for, or engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief) does not violate rule XVI (which prohibits legislation on an appropriation bill) and is in order. The question is: "Shall the decision of the Chair stand as the judgment of the Senate?"

Decision of chair sustained. Yeas 43 (11D–32R), Nays 40 (36D–4R), Not Voting 17 (7D–10R). July 8, 1988.

VOTE NO. 235

Byrd motion to reconsider Vote No. 234.

NOTE: The point of order and the appeal of the ruling of the Chair were subsequently withdrawn.

Motion to reconsider agreed to. Yeas 42 (40D–2R), Nays 41 (7D–34R), Not Voting 17 (7D–10R). July 8, 1988.

VOTE NO. 236

Armstrong amendment which prohibits expenditure of funds under this Act after December 31, 1988, if the D.C. government has not enacted a law that allows educational institutions in the District of Columbia affiliated with a religious organization to deny, restrict, abridge, or condition (a) the use of any fund, service, facility, or benefit, or (b) the granting of any endorsement, approval, or recognition to any organization for, or engaged in promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief.

Amendment agreed to. Yeas 58 (22D–36R), Nays 33 (26D–7R), Not Voting 9 (6D–3R). July 11, 1988.

VOTE NO. 237

Passage of the bill which appropriates for FY 1989 $532,000,000 in Federal funds and approves $3,216,916,000 in District of Columbia funds making a total of $3,748,916,000 available for the operations and activities of the District.

Prohibits the use of Federal funds to pay the salary of any individual who is implementing, administering, or enforcing a residency requirement with respect to D.C. government employees, if the District has not adopted by May 1, 1989, and implemented by September 30, 1989, a preference system that does not preclude the hiring of noncity residents.

Prohibits the use of Federal funds after December 31, 1988, if the D.C. City Council has not repealed D.C. Law 6–170 which

D.C. APPROPRIATIONS, 1989—Continued

prohibits insurance companies from (1) requiring applicants to test for AIDS, (2) using any test to deny, amend, cancel, or refuse to renew insurance coverage, and (3) raising premiums for individuals who test positive for any AIDS-related agent.

Prohibits expenditure of funds appropriated for the Mayor after January 1, 1989, if the Department of Health and Human Services has not implemented a system of mandatory reporting of data on abortions performed in the District.

Prohibits expenditure of funds appropriated after December 31, 1988, if the D.C. government has not enacted a law that allows educational institutions in the District that are affiliated with a religious organization to deny, restrict, abridge, or condition (1) the use of any fund, service, facility, or benefit, or (2) the granting of any endorsement, approval, or recognition to any organization for, or engaged in promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief.

BUDGET AUTHORITY CONSIDERED

	Federal Funds	D.C. Funds
1987 Appropriations	$550,000,000	$3,077,347,000
1988 Budget Estimate	541,596,000	3,206,916,000
Approved by House	541,596,000	3,206,916,000
Approved by Senate	532,000,000	3,216,916,000
Enacted	536,910,000	3,206,095,000

NOTE: The Senate agreed to the conference report by voice vote on September 30, 1988. See Vote No. 348 on an amendment reported in disagreement.

Bill passed. Yeas 64 (39D–25R), Nays 29 (11D–18R), Not Voting 7 (4D–3R). July 11, 1988.

Became Public Law 100–462.

VA JUDICIAL REVIEW (S. 11)

VOTE NO. 238

Cranston motion to table the Murkowski amendment (as a substitute for the bill) which would permit the judicial review of VA decisions concerning an individual's claim only in cases where the lawfulness or the interpretation of a VA regulation is at issue rather than permitting access to the Federal courts for review of VA regulations and claims decisions as provided for in the bill.

Motion to table agreed to. Yeas 61 (49D–12R), Nays 36 (4D–32R), Not Voting 3 (1D–2R). July 11, 1988.

VOTE NO. 239

Passage of the bill which establishes procedures for the adjudication of claims for benefits under laws administered by the Veterans' Administration; provides for judicial review of certain final decisions of the Administrator of Veterans' Affairs; and provides for the payment of reasonable fees to attorneys for rendering legal representation to individuals claiming VA benefits.

NOTE: A House–Senate compromise version of the bill was cleared for the President on October 20, 1988.

Bill passed. Yeas 86 (51D–35R), Nays 11 (2D–9R), Not Voting 3 (1D–2R). July 11, 1988.

Became Public Law 100–687.

DEPARTMENT OF VETERANS' AFFAIRS (H.R. 3471)

VOTE NO. 240

Glenn motion to table the Murkowski–Thurmond, et al., amendment which permits the President to appoint, with the advice and consent of the Senate, the Secretary of Veterans' Affairs on or after the date of enactment, but retains the effective date of January 21, 1989, for the establishment of the new Department of Veterans' Affairs.

Motion to table agreed to. Yeas 52 (52D), Nays 43 (43R), Not Voting 5 (2D-3R). July 11, 1988.

Voted

VOTE NO. 241

Cranston motion to table the Simpson amendment adding the provisions authorizing judicial review of VA regulations and claims decisions contained in S. 11 as passed by the Senate—Vote No. 239.

Motion to table agreed to. Yeas 83 (45D-38R), Nays 11 (5D-6R), Not Voting 5 (3D-2R), Live Pairs 1 (1D). July 11, 1988.

VOTE NO. 242

Passage of the bill which establishes the Veterans' Administration as a Cabinet-level department and sets out the principal officers and offices of the new Department of Veterans' Affairs.

NOTE: The Senate agreed to the conference report by voice vote on October 18, 1988.

Bill passed. Yeas 84 (52D-32R), Nays 11 (1D-10R), Not Voting 5 (1D-4R). July 12, 1988.

Became Public Law 100-527.

DOT APPROPRIATIONS, 1989 (H.R. 4794)

VOTE NO. 243

Passage of the bill which appropriates $10,536,667,569 in new budget authority for the Department of Transportation and related agencies in FY 1989, including $2.8 billion for the Coast Guard, $3.2 billion for the Urban Mass Transportation Administration, $6.1 billion for the Federal Aviation Administration, $11.6 billion for the activities of the Federal Highway Administration, $224.7 million for activities and programs of the National Highway Traffic Safety Administration, and $575.8 million for Amtrak.

Directs the Administrator of the FAA to institute a rulemaking procedure to consider the need for changes to the existing regulation concerning the allocation and transfer of "slots" held by air carriers and commuter operators at each of the four airports covered by the final rule regarding Slot Allocation and Transfer Methods at High Density Traffic Airports; requires a minimum air traffic controller work force of 16,800, of which at least 10,832 must be full performance level controllers as of September 30, 1989.

Delays penalties to be imposed by the Secretary of Transportation on States not complying with the 55-mile-per-hour speed limit by one year.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$10,601,455,000
1989 Budget Estimate	8,777,912,569
Approved by House	10,802,190,569
Approved by Senate	10,536,667,569
Enacted	10,794,266,569

NOTE: The Senate agreed to the conference report by voice vote on September 28, 1988.

Bill passed. Yeas 91 (51D-40R), Nays 6 (1D-5R), Not Voting 3 (2D-1R). July 12, 1988.

Became Public Law 100-457.

HUD APPROPRIATIONS, 1989 (H.R. 4800)

VOTE NO. 244

Heinz, et al., amendment which increases UDAG funding by $30 million, for a recaptured total of $80 million, offset by reducing funding for the National Aero-Space Plane (NASP) from $68.6 million to $38.6 million.

Amendment rejected. Yeas 34 (25D-9R), Nays 63 (27D-36R), Not Voting 3 (2D-1R). July 12, 1988.

VOTE NO. 245

Moynihan-Lautenberg-Chafee amendment which increases EPA funding by $275 million for Sewage Treatment Construction Grants, $25 million for the Nonpoint Pollution Control Program, and $5 million for the Wellhead Protection Program, offset by a $150 million reduction each in NASA's research and program management account and R&D account.

Amendment rejected. Yeas 32 (20D-12R), Nays 64 (32D-32R), Not Voting 4 (2D-2R). July 12, 1988.

Voted

HUD APPROPRIATIONS, 1989—Continued

VOTE NO. 246

Durenberger-Moynihan amendment which appropriates $25 million for grants to the States for the Nonpoint Pollution Control Program and $5 million for the Wellhead Protection Program, offset by funding reductions of $13.48 million for EPA salaries and expenses, $10.13 million for the abatement, control, and compliance account, and $6.83 million for R&D.

Amendment agreed to. Yeas 63 (23D-40R), Nays 33 (28D-5R), Not Voting 4 (3D-1R). July 12, 1988.

VOTE NO. 247

Passage of the bill which appropriates $59,077,033,000 in new budget authority for the Department of Housing and Urban Development for FY 1989, including $9.7 billion for housing programs, $3 billion for Community Development Block Grants, $5.4 billion for EPA, $1.5 billion for Superfund, $658.7 million for FEMA, $10.1 billion for NASA, $1.9 billion for the National Science Foundation, and $28.0 billion for the VA.

Rescinds $2.0 million in contract authority and $50.0 million in budget authority for the Rental Housing Assistance Program; limits loans for housing for the elderly or handicapped to $537.7 million; maintains a 1989 FHA mortgage and loan insurance commitment limitation of $96 billion and limits temporary mortgage assistance payments to $103.4 million; and places a $144 billion limitation on GNMA loan guarantee commitments.

Eliminates additional funding for the Urban Development Action Grant Program, but expresses the intention of the Senate to make new appropriations for the Program if additional funds become available.

Contains sense of the Senate language urging the President to call for an international convention on the greenhouse effect and protection of the Earth's climate.

NOTE: See Vote No. 301 on the conference report.

Bill passed. Yeas 86 (49D-37R), Nays 11 (3D-8R), Not Voting 3 (2D-1R). July 13, 1988.

INTERIOR APPROPRIATIONS, 1989 (H.R. 4867)

VOTE NO. 248

Byrd, et al., amendment (to the Dole, et al., amendment) which states the sense of the Senate condemning the recent actions taken by the Sandinistas against internal opposition and the media and the expulsion of American diplomats; supports the action taken by the President in withdrawing the credentials of Nicaraguan diplomatic personnel; and states that the Sandinistas should understand that such violations of the Esquipulas II Accord and the human rights of the Nicaraguan people could cause Congress to consider providing additional humanitarian and other appropriate aid, including military aid, to the opposition.

NOTE: Subsequently, the Dole amendment, as amended by the Byrd, et al., amendment, was agreed to by voice vote.

Amendment agreed to. Yeas 91 (49D-42R), Nays 4 (3D-1R), Not Voting 5 (2D-3R). July 13, 1988.

VOTE NO. 249

Nickles amendment which strikes the language in the bill prohibiting the Department of the Interior from approving or permitting drilling or other exploratory activity on existing leases within the eastern Gulf of Mexico.

Amendment rejected. Yeas 37 (13D-24R), Nays 59 (38D-21R), Not Voting 4 (3D-1R). July 13, 1988.

VOTE NO. 250

Passage of the bill which appropriates $10,091,445,000 in new budget authority for the Department of the Interior and related agencies for FY 1989, including $704.0 million for the Bureau of Land Management; $453.4 million for the Fish and Wildlife Service; $949.0 million for the National Park Service; $448.0 million for the Geological Survey; $1.8 billion for the Forest Service; $1.9 billion for the Department of Energy which includes $174.4 million for Strategic Petroleum Reserve construction and $242 for petroleum acquisition and transportation plus an FY 1990 advance of $91.6 million to permit prior orders for oil to be delivered in the first quarter of FY 1990; $1.1 billion for the

Bureau of Indian Affairs; $1.1 billion for Indian health services; $168.6 million for the National Endowment of the Arts; and $144.2 million for the National Endowment of the Humanities.

Requires a comprehensive and systematic accounting and reconciliation of the grant program for abandoned mine reclamation under the Surface Mining Control and Reclamation Act of 1977.

States the sense of the Senate condemning the recent actions taken by the Sandinistas against internal opposition and the media and the expulsion of American diplomats; supports the action taken by the President in withdrawing the credentials of Nicaraguan diplomatic personnel; and states that the Sandinistas should understand that such violations of the Esquipulas II Accord and the human rights of the Nicaraguan people could cause Congress to consider providing additional humanitarian and other appropriate aid, including military aid, to the opposition.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$9,342,660,000
1989 Budget Estimate	8,864,974,000
Approved by House	9,697,798,000
Approved by Senate	10,091,445,000
Enacted	9,891,961,000

NOTE: The Senate agreed to the conference report by vioce vote on September 8, 1988.

Bill passed. Yeas 92 (50D–42R), Nays 4 (1D–3R), Not Voting 4 (3D–1R). July 13, 1988.

Became Public Law 100–446.

DEFENSE AUTHORIZATION (H.R. 4264)

VOTE NO. 251

Quayle motion to recommit the conference report with instructions that the Senate conferees insist on a position more favorable to the Senate position on ICBM modernization, SDI, Poseidon SSBN's, depressed trajectory missile testing, and nuclear testing, and that in addition the amounts authorized be changed to eliminate those items neither requested nor estimated in the President's budget, with the resulting savings to be apportioned to readiness and sustainability programs that will enhance conventional deterrence forces.

Not Guilty. Yeas 35 (35R), Nays 58 (49D–9R), Not Voting 7 (5D–2R). July 14, 1988.

VOTE NO. 252

Adoption of the conference report which authorizes a total of $211,063.1 million for the military functions of the Department of Defense in FY 1989, of which $79.72 billion is for procurement of aircraft, missiles, naval vessels, and weapons, including tracked combat vehicles, torpedoes, and related support equipment, $37.97 billion is for RDT&E, $85.50 billion is for O&M for the active and reserve forces; $8.69 billion for military construction and family housing; and $8.14 billion for Department of Energy operating expenses, capital equipment, and construction costs related to the national defense programs; sets the end strengths for the active and reserve forces; contains $4.0 billion for SDI research and $750 million for both the Rail Garrison MX and the small ICBM programs with part of the funds fenced until March 31, 1989, pending the next President's determination on whether to continue the programs; includes $77.4 million for the binary chemical weapons program and $179.5 million for the chemical demilitarization program; contains $7.7 billion for Navy shipbuilding and conversion for the construction of 15 ships and the conversion of two jumbo oilers and $13.0 million to continue the transport program of humanitarian relief supplies to Afghan refugees; provides a 4.1 percent increase in basic pay and substance allowances and a seven percent increase in quarters allowance; calls for submission of several reports on various aspects of arms control and a comprehensive study to determine the effectiveness of DOD procedures for ensuring security and control for supplies at DOD depots; institutionalizes the industrial base focus in DOD; gives DOD increased authority to transfer funds between accounts in FY 1988; provides an FY 1988 supplemental authorization to fund certain programs whose amounts exceeded their FY 1988 authorization; makes DOD the lead agency for coordinating Federal efforts with respect to drug interdiction; prohibits funds for the Panamanian Defense Force

Voted

DEFENSE AUTHORIZATION—Continued

pending a Presidential certification that no Soviet, Cuban, or Nicaraguan armed forces are in Panama and General Noriega has relinquished command of the Force and no longer holds an official leadership position; and makes the sale or transfer of F-15 aircraft to Saudi Arabia subject to certain specified conditions which may be waived upon Presidential certification that the transfer is necessary to the U.S. national interest.

NOTE: See Vote No. 340 whereby the Senate agreed to a second conference report containing a compromise version of these provisions which subsequently became Public Law 100-456.

The President vetoed the bill on August 3, 1988. In his veto message the President stated that the bill would undercut current U.S. arms control and negotiating efforts and redirect funds from critical defense programs.

Conference report agreed to. Yeas 64 (47D-17R), Nays 30 (2D-28R), Not Voting 6 (5D-1R). July 14, 1988.

ENDANGERED SPECIES (H.R. 1467)

VOTE NO. 253

Byrd motion to proceed to the consideration of the bill.

Motion to proceed agreed to. Yeas 78 (41D-37R), Nays 0, Not Voting 22 (13D-9R). July 25, 1988.

LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783)

VOTE NO. 254

Weicker motion to table the Helms amendment (to the Committee amendment) which strikes the language authorizing funds for Title X, Family Planning Services, of the Public Health Service Act.

Motion to table agreed to. Yeas 65 (41D-24R), Nays 21 (7D-14R), Not Voting 14 (6D-8R). July 25, 1988.

VOTE NO. 255

Chiles motion to table the Helms amendment (to the Committee amendment) which prohibits any funds after January 31, 1989, for Title X (Family Planning) if the Secretary of HHS has not promulgated regulations to prohibit the provision of contraceptives to unmarried minors without prior written parental consent.

Motion to table agreed to. Yeas 54 (40D-14R), Nays 34 (9D-25R), Not Voting 12 (5D-7R). July 25, 1988.

HUNGER PREVENTION/TEFAP (S. 2560)

VOTE NO. 256

Gramm amendment to provide that funds for the purchase of high protein food for the Temporary Emergency Food Assistance Program as authorized by the bill be reduced by an amount equal to the value of any surplus commodities donated to the program and to soup kitchens by the Commodity Credit Corporation.

Amendment rejected. Yeas 14 (14R), Nays 81 (53D-28R), Not Voting 5 (1D-4R). July 26, 1988.

VOTE NO. 257

Passage of the bill which expands several nutrition programs, including the Temporary Emergency Food Assistance Act Program, Food Stamps, Child Nutrition, and various soup kitchen and other emergency feeding programs, in order to target Federal nutrition assistance to the homeless and those most in need.

NOTE: The bill was cleared for the President on August 11, 1988, after the Senate agreed to the House amendments.

Bill passed. Yeas 90 (52D-38R), Nays 7 (1D-6R), Not Voting 3 (1D-2R). July 26, 1988.

Became Public Law 100-435.

Voted

COMMERCE-STATE-JUSTICE APPROPRIATIONS, 1989 (H.R. 4782)

VOTE NO. 258

Dole amendment stating the sense of the Senate that the People's Republic of China (PRC) should (1) immediately halt the sale of ballistic missiles and other offensive weapons to all nations of the Middle East and Persian Gulf; (2) discontinue reported discussions with Syria, Iran, Libya, and Pakistan regarding potential sales of M-9 short-range ballistic missiles; and (3) endorse the U.N.-sponsored international arms embargo against Iran and Iraq; and, if these sales and policies are not discontinued, the U.S. should reassess bilateral relations with the PRC and reexamine agreements providing for arms and technology transfers to that country.

Amendment agreed to. Yeas 97 (51D-46R), Nays 0, Not Voting 3 (3D). July 27, 1988.

VOTE NO. 259

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 68 (51D-17R), Nays 29 (29R), Not Voting 3 (3D). July 27, 1988.

VOTE NO. 260

Gramm-Cochran-Nickles amendment which increases funding for the Drug Enforcement Administration by $58.55 million, offset by reducing funding in the same amount for the Legal Services Corporation—from $308.55 million to $250 million.

Amendment rejected. Yeas 28 (1D-27R), Nays 66 (49D-17R), Not Voting 6 (4D-2R). July 27, 1988.

VOTE NO. 261

Passage of the bill which appropriates $15,006,408,000 in new budget authority for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies in FY 1989, including $2.8 billion for the Department of Commerce, $5.5 billion for the Department of Justice, $2.7 billion for the Department of State, $1.4 billion for the Judiciary, and $2.7 billion for Related Agencies.

Postpones finalization of the new H-1 visa regulations until October 1, 1989.

States Congressional objection to the presence of Cuba on the U.N. Commission on Human Rights investigating Cuban human rights violations and calls for a report detailing whether Cuba's presence has influenced the Commission's report.

States the sense of the Senate that China should halt the sale of ballistic missiles and other offensive weapons to Middle East and Persian Gulf nations, discontinue reported discussions with Syria, Iran, Libya, and Pakistan for the sale of M9 short-range ballistic missiles, and endorse the U.N.-sponsored international arms embargo against Iran and Iraq, and, if these policies are not discontinued, the U.S. should reassess bilateral relations with China and agreements providing for arms and technology transfers to China.

Establishes new bankruptcy judgeships in Alaska, Arizona, and Colorado.

Prohibits changes in the administration and enforcement of FCC rules on newspaper-broadcast cross-ownership; provides $7.5 million for USIA to initiate a surrogate home television broadcasting service to Cuba to be known as Television Marti which meets the same requirements as Radio Marti.

NOTE: See Vote No. 338 on the conference report.

Bill passed. Yeas 80 (48D-32R), Nays 16 (3D-13R), Not Voting 4 (3D-1R). July 27, 1988.

LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783)

VOTE NO. 262

Cranston defense of the germaneness of the Cranston-Kennedy amendment which prohibits any AIDS education program or curricula dealing with sexual activity funded under this Act from being designed to promote or encourage, directly, intravenous drug abuse or homosexual or heterosexual sexual activity; and requires AIDS education programs and curricula to be designed to reduce exposure to, and transmission of, the AIDS virus by providing accurate information, and to provide information on the health risks on promiscuous sexual activity and in-

LABOR-HHS APPROPRIATIONS, 1989—Continued

travenous drug abuse. The question is: "Is the amendment germane?"

Amendment germane. Yeas 56 (46D-10R), Nays 41 (6D-35R), Not Voting 3 (2D-1R). July 27, 1988.

VOTE NO. 263

Cranston-Kennedy amendment which prohibits any AIDS education program or curricula dealing with sexual activity funded under this Act from being designed to promote or encourage, directly, intravenous drug abuse or homosexual or heterosexual sexual activity; and requires AIDS education programs and curricula to be designed to reduce exposure to, and the transmission of, the AIDS virus by providing accurate information, and to provide information on the health risks of promiscuous sexual activity and intravenous drug abuse.

Amendment agreed to. Yeas 61 (47D-14R), Nays 37 (5D-32R), Not Voting 2 (2D). July 27, 1988.

VOTE NO. 264

Chiles motion to table the Helms modified amendment which eliminates the language of the previously passed Cranston-Kennedy amendment (Vote No. 263) and prohibits any State from receiving any funds for AIDS public education and information programs if the State has not made a "good faith" effort to notify any spouse married to an AIDS-infected patient since December 31, 1976, that the AIDS-infected spouse has AIDS.

Motion to table agreed to. Yeas 49 (40D-9R), Nays 48 (11D-37R), Not Voting 3 (3D). July 27, 1988.

VOTE NO. 265

Weicker motion to table the Cranston motion to reconsider Vote No. 264.

Motion to table agreed to. Yeas 51 (41D-10R), Nays 46 (10D-36R), Not Voting 3 (3D). July 27, 1988.

VOTE NO. 266

Weicker motion to table the Helms-Exon amendment (to the Committee amendment) which prohibits the use of funds by the Department of HHS, including Medicaid block grants, to provide on the premises of any elementary and secondary school contraceptives or prescriptions therefor, transportation or referrals for contraceptives, aid in obtaining an abortion, or counseling to encourage an individual to obtain an abortion.

Motion to table agreed to. Yeas 48 (36D-12R), Nays 45 (11D-34R), Not Voting 7 (7D). July 27, 1988.

VOTE NO. 267

Weicker motion to table the Helms amendment (to the Committee amendment) which strikes the language in the bill permitting a victim of rape or incest to receive a Federally-funded abortion, and in lieu thereof, requires the Secretary of HHS to promulgate regulations to prohibit AIDS education, information, or prevention materials and activities from promoting or encouraging directly, homosexual sexual activities (thereby eliminating the AIDS education parameters of the Cranston-Kennedy amendment—Vote No. 263).

Motion to table agreed to. Yeas 47 (36D-11R), Nays 46 (12D-34R), Not Voting 7 (6D-1R). July 27, 1988.

VOTE NO. 268

Exon amendment (to the Committee amendment) which makes a victim of rape or incest eligible for a Federally-funded abortion only if the incident is reported promptly to a law enforcement agency; permits payments for drugs to prevent the implantation of a fertilized ovum and for the termination of an ectopic pregnancy; and allows any State the right to refuse to fund an abortion except where the mother's life would be endangered if the fetus were carried to term.

Amendment agreed to. Yeas 73 (34D-39R), Nays 19 (14D-5R), Not Voting 8 (6D-2R). July 27, 1988.

VOTE NO. 269

Kennedy motion to table the Humphrey modified amendment which prohibits the materials, curricula, or programs funded by this Act from promoting or encouraging homosexuality, or using words stating that homosexuality is "normal," "natural," or "healthy."

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 15 (13D–2R), Nays 82 (38D–44R), Not Voting 3 (3D). July 27, 1988.

VOTE NO. 270

Passage of the bill which appropriates $140,429,241,000 in budget authority for the Departments of Labor, Health and Human Services, and Education and Related Agencies for FY 1989, of which $14,847,000,000 is for subsequent year advances; includes $6.5 billion for the Department of Labor, $111.1 billion for the Department of HHS, $21.8 billion for the Department of Education, and $1.1 billion for Related Agencies.

Establishes until October 1, 1989, the moratorium on asset reversions to employers from termination of an overfunded defined benefit pension plan covered by the Pension Benefit Guaranty Corporation, but allows termination of sufficiently funded pension plans during this period if the excess assets are held in escrow during the moratorium; expresses the sense of the Senate that the 60 percent penalty provision and the change to payment rules for 10 percent penalty provision should be effective for notices of intent to terminate provided to participants on or after the Senate adopts this amendment.

Prohibits the use of funds for projects entailing the capture or procurement of chimpanzees from the wild; prohibits the materials, curricula, or programs funded by this Act from promoting or encouraging homosexuality, or using words stating that homosexuality is "normal," "natural," or "healthy;" prohibits AIDS education program or curricula dealing with sexual activity funded under this Act from being designed to promote or encourage, directly, intravenous drug abuse or homosexual or heterosexual sexual activity, and requires that AIDS education programs and curricula be designed to reduce exposure to, and the transmission of, the AIDS virus by providing accurate information and information on the health risks of promiscuous sexual activity and intravenous drug abuse.

Prohibits the use of funds (1) to require any person or entity to perform, or facilitate in any way, the performance of any abortion; (2) to waive the minimal risk standard for research on live human fetuses; (3) to perform an abortion for the purpose of fetal transplantation to any animal or person; (4) to induce abortion; or (5) on the premises of any elementary or secondary school, to provide abortions, transportation to aid in obtaining an abortion, counseling to encourage a child to obtain an abortion, or referrals for obtaining an abortion; makes a victim of rape or incest eligible for a Federally-funded abortion only if the incident is reported promptly to a law enforcement agency; permits payments for drugs to prevent the implantation of a fertilized ovum and for the termination of an ectopic pregnancy; and gives any State the right to refuse to fund any abortion except where the mother's life would be endangered if the fetus were carried to term.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$129,183,999,000
1989 Budget Estimate	138,601,064,000
Approved by House	135,794,692,000
Approved by Senate	140,429,241,000
Enacted	140,374,129,000

NOTE: The Senate agreed to the conference report by voice vote on September 12, 1988.

Bill passed. Yeas 80 (46D–34R), Nays 16 (4D–12R), Not Voting 4 (4D). July 27, 1988.

Became Public Law 100–436.

ENDANGERED SPECIES (H.R. 1467)

VOTE NO. 271

Passage of the bill which authorizes funds in FY 1988–92, for the Departments of Commerce, Agriculture, and Interior to carry out the Endangered Species Act of 1973, and amends the Act to improve the recovery and protection of species listed under the Act, species that are candidates for listing, and spe-

ENDANGERED SPECIES—Continued

cies that have recently recovered and been removed from the Act's lists.

NOTE: The Senate agreed to the conference report by voice vote on September 15, 1988.

Bill passed. Yeas 93 (49D–44R), Nays 2 (2R), Not Voting 5 (5D). July 28, 1988.

Became Public Law 100–478.

DROUGHT ASSISTANCE (H.R. 5015)

VOTE NO. 272

Karnes modified amendment stating the sense of the Senate that Congress should act on legislation prior to adjournment of the 100th Congress which (1) exempts diesel fuel that is to be used for farming and fishing purposes from the Federal excise tax rather than refunding such taxes after payment, and (2) repeals the application of the accounting capitalization rules under section 263A of the Internal Revenue Code of 1986 to farm animals (the "heifer tax").

Amendment agreed to. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). July 28, 1988.

VOTE NO. 273

Passage of the bill which provides emergency drought assistance to livestock producers and commodities farmers adversely affected by the 1988 drought; rescinds the Secretary's authority to reduce the milk price support level by 50 cents per hundredweight on January 1, 1989; and provides assistance to low-income agricultural workers affected by the drought through the Job Training Partnership Act programs.

NOTE: See Vote No. 297 on the conference report.

Bill passed. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). July 28, 1988.

NOMINATION OF TIMOTHY L. TOWELL TO BE AMBASSADOR TO PARAGUAY

VOTE NO. 274

Confirmation of the nomination of Timothy Lathrop Towell, of Ohio, to be the Ambassador to Paraguay.

Nomination confirmed. Yeas 88 (45D–43R), Nays 0, Not Voting 12 (9D–3R). July 29, 1988.

AGRICULTURE APPROPRIATIONS, 1989 (H.R. 4784)

VOTE NO. 275

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 68 (44D–24R), Nays 20 (20R), Not Voting 12 (10D–2R). July 29, 1988.

VOTE NO. 276

DeConcini, et al., amendment which increases, by $30.8 million, funding for the special supplemental food program for women, infants, and children (WIC), offset by reducing each individual appropriation item in the bill by 0.7 percent except for mandatory programs and amounts made available for the P.L. 480 programs, FHA, REA, the conservation preserve program, the commodity supplemental food program, and the WIC food program.

Amendment agreed to. Yeas 87 (46D–41R), Nays 4 (4R), Not Voting 9 (8D–1R). July 29, 1988.

VOTE NO. 277

Leahy motion to table the Bumpers, et al., amendment which bases the trust fund assessments of Farm Credit System member institutions on a percentage of bonds actually issued by the Financial Assistance Corporation rather than on the Corporation's total unused bond-issuing authority, thereby permitting Production Credit Associations to pay their *pro rata* share to the Corporation in installments to be increased as the bonds are issued.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 43 (8D–35R), Nays 45 (37D–8R), Not Voting 12 (9D–3R). July 29, 1988. -------

VOTE NO. 278

Passage of the bill which appropriates a total of $47,706,254,000 in new budget authority for the Department of Agriculture and related agencies in FY 1989, plus $4,101,183,000, by transfer from section 32 (customs receipts), making a total of $47,706,254,000 available in obligational authority.

Specifies that adult day care centers are eligible to participate in the child care food program and directs USDA to issue regulations to assure maximum participation.

Imposes class II regulations on certain contact lenses unless FDA determines that they meet the class III definition; provides for the appointment of peer review groups by the FDA Commissioner; provides funds for devices and radiological programs for small businesses to obtain training and technical assistance in the FDA approval process.

Provides prepayment authority for REA guaranteed loans made by the Federal Financing Bank in the amount of $150 million for telephone program borrowers and $350 million for electric program borrowers; makes not less than $10 million, nor more than $20 million, of section 32 funds available in FY 1989–90 to purchase sunflower oil for export through the Sunflower Oil Assistance Program; and prohibits use of funds to implement the sugar quota increase announced on July 22, 1988, unless it would not result in forfeiture of domestically produced sugar to the CCC.

NOTE: See Vote No. 345 on the conference report.

Bill passed. Yeas 74 (40D–34R), Nays 8 (2D–6R), Not Voting 18 (12D–6R). July 29, 1988. -------

FAIR HOUSING (H.R. 1158)

VOTE NO. 279

Helms amendment (to the Kennedy, et al., substitute amendment) which clarifies that, for the purposes of this Act and chapter 16, title 29, U.S.C., the terms "individual with handicaps" and "handicap" do not apply to an individual solely because the individual is a transvestite.

Amendment agreed to. Yeas 89 (46D–43R), Nays 2 (1D–1R), Not Voting 9 (7D–2R). August 1, 1988. -------

VOTE NO. 280

Hatch-Kennedy-Specter motion to table the Helms amendment (to the Kennedy, et al., substitute amendment) which prohibits the Supreme Court from reviewing any case arising from the interpretation or application of any State statute, ordinance, rule, regulation, or practice, which relates to voluntary prayer, Bible reading, or religious meetings in public schools or public buildings; and prohibits Federal district courts from having jurisdiction over any case or question over which the Supreme Court does not have jurisdiction.

Motion to table agreed to. Yeas 71 (43D–28R), Nays 20 (5D–15R), Not Voting 9 (6D–3R). August 1, 1988. -------

VOTE NO. 281

Kennedy motion to table the Humphrey amendment (to the Kennedy, et al., substitute amendment) which prohibits the provisions of the Act which affect the design and construction of housing to be sold to the general public from taking effect if they would increase the costs of such housing.

Motion to table agreed to. Yeas 88 (49D–39R), Nays 7 (7R), Not Voting 5 (5D). August 2, 1988. -------

VOTE NO. 282

Kennedy motion to table the Humphrey amendment (to the Kennedy, et al., substitute amendment) which limits the applicability of the Act's provisions regarding handicapped accessibility in multi-unit buildings to 20 percent of the units within a building or 20 percent of all units in multiple building developments

FAIR HOUSING—Continued

and requires that at least one unit per development be handicapped accessible.

Motion to table agreed to. Yeas 84 (49D–35R), Nays 12 (1D–11R), Not Voting 4 (4D). August 2, 1988.

VOTE NO. 283

Passage of the bill which amends the Fair Housing Act to create an enforcement system for the Federal fair housing laws and extend coverage to handicapped persons and families with children under age 18.

NOTE: The bill was cleared for the President on August 8, 1988, after the House agreed to the Senate amendments.

Bill passed. Yeas 94 (51D–43R), Nays 3 (3R), Not Voting 3 (3D). August 2, 1988.

Became Public Law 100–430.

TRADE AND COMPETITIVENESS ACT (H.R. 4848)

VOTE NO. 284

Bentsen motion to table the Durenberger, et al., amendment which delays the repeal of the prohibition on Soviet fur skin imports, contained in the bill, until the President submits to Congress a written certification that (1) the Soviet Union does not deny its citizens the right to emigrate, or (2) that the President has received assurances that the Soviet Union's emigration practices will be relaxed and that the repeal of the import prohibition will contribute to relaxed emigration practices.

Motion to table agreed to. Yeas 64 (50D–14R), Nays 32 (1D–31R), Not Voting 4 (3D–1R). August 3, 1988.

VOTE NO. 285

Bentsen-Packwood motion to table the Wallop-Hecht amendment which strikes the provision authorizing the U.S. Trade Representative (USTR) to determine (under section 301 of the Trade Act) whether a foreign trade practice is actionable, whether action should be taken, and what actions should be "subject to the specific direction, if any, of the President"; and replaces this provision with the requirement that any action taken by the USTR be "subject to the specific direction of the President."

Motion to table agreed to. Yeas 69 (50D–19R), Nays 26 (26R), Not Voting 5 (4D–1R). August 3, 1988.

VOTE NO. 286

Bensten-Packwood motion to table the McClure amendment which requires the President to take into account the human rights and humanitarian compliance record of any nation which is a signator of the Helsinki Final Act before extending Most-Favored-Nation (MFN) status to it; directs the President, in considering a nation's compliance record, to take into account the extent to which judicial means of redress are available to facilitate and encourage the exercise of their fundamental freedoms under the Helsinki Act, and the ability of the nation's citizens as well as the citizens of other nations, to monitor Helsinki Accord compliance; and requires that, if MFN status is granted, the President must report to Congress to what extent he considers such country in compliance with the Helsinki Final Act.

Motion to table agreed to. Yeas 67 (49D–18R), Nays 28 (2D–26R), Not Voting 5 (3D–2R). August 3, 1988.

VOTE NO. 287

Bentsen-Packwood motion to table the Wallop amendment which strikes the provision establishing the Competitiveness Policy Council, an independent body charged with recommending national strategies for enhancing U.S. productivity and international competitiveness, commenting on private sector requests for government assistance, evaluating the impact of Federal policy on U.S. competitiveness, and reporting on these trade matters to Congress and the President.

Motion to table agreed to. Yeas 62 (51D–11R), Nays 33 (33R), Not Voting 5 (3D–2R). August 3, 1988.

VOTE NO. 288

Passage of the bill which contains provisions identical to H.R. 3 (the vetoed bill) except for the deletion of provisions requiring advanced notice of plant closings and mass layoffs (which were

Voted

enacted separately in S. 2527—P.L. 100-379), and the provisions dealing with the export of Alaskan crude oil to Canada and the export of Alaskan refined petroleum products. (The conference report language on H.R. 3 dealing with the Alaskan oil and petroleum products exports is retained by reference in this bill).

NOTE: See Vote No. 110 on the conference report on H.R. 3 and Vote No. 289 regarding technical changes to the ethanol provision in the bill.

Bill passed. Yeas 85 (50D-35R), Nays 11 (1D-10R), Not Voting 4 (3D-1R). August 3, 1988.

Became Public Law 100-418.

ETHANOL PRODUCTION/TRADE ACT ENROLLMENT CORRECTIONS (S. Con. Res. 135)

VOTE NO. 289

Adoption of the resolution which makes enrollment corrections in the Trade and Competitiveness Act (H.R. 4848) and makes the importation of ethanol contingent on the Secretaries of Agriculture, Energy, and Treasury submitting to Congress a statement certifying that domestic ethyl alcohol production is not fully meeting the demand and that the quantity to be imported duty-free is necessary to maintain adequate U.S. supplies.

NOTE: The House took no action on this resolution.

Concurrent resolution agreed to. Yeas 62 (25D-37R), Nays 34 (26D-8R), Not Voting 4 (3D-1R). August 3, 1988.

NOMINATION OF JOHN P. LAWARE TO THE FEDERAL RESERVE BOARD

VOTE NO. 290

Confirmation of the nomination of John P. LaWare, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve Board.

Nomination confirmed. Yeas 90 (44D-46R), Nays 3 (3D), Not Voting 7 (7D). August 4, 1988.

SUPPLEMENTAL APPROPRIATIONS, 1988 (H.R. 5026)

VOTE NO. 291

Cranston motion to waive the Budget Act to allow consideration of the Cranston-DeConcini-Murkowski amendment which provides $233.3 million to meet expenditures required by law for the FY 1988 VA compensation COLA and for the implementation of veterans' health care entitlements enacted in P.L. 100-322, of which $21.7 million would be transferred from the VA Loan Guaranty Revolving Fund; and strikes the provisions enacted in the FY 1988 Continuing Resolution which prohibit the VA from spending $6.4 billion of the FY 1988 medical care appropriation for any expenses other than personnel compensation and benefits.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion agreed to. Yeas 89 (47D-42R), Nays 5 (1D-4R), Not Voting 6 (6D). August 4, 1988.

VOTE NO. 292

Warner amendment expressing the sense of the Senate that the Congress should expeditiously pass legislation authorizing a military pay raise, effective January 1, 1989, of 4.1 percent for basic pay and subsistence and 7.0 percent for basic allowance for quarters.

Amendment agreed to. Yeas 91 (47D-44R), Nays 1 (1D), Not Voting 8 (6D-2R). August 4, 1988.

Voted

DOD APPROPRIATIONS, 1989 (H.R. 4781)

VOTE NO. 293

Byrd motion to proceed to the consideration of the bill.

Motion to consider agreed to. Yeas 93 (50D–43R), Nays 0, Not Voting 7 (4D–3R). August 4, 1988.

CENTRAL AMERICAN ECONOMIC DEVELOPMENT (S. Con. Res. 63)

VOTE NO. 294

Adoption of the resolution expressing the sense of the Congress that the President should encourage and assist, as requested, the Central American countries of Costa Rica, El Salvador, Guatemala, Honduras, Belize, and Nicaragua in their planning, formulation, and implementation of a regional economic development and recovery program for Central America, and should encourage other countries to join in extending assistance to those Central American countries that have made substantial progress toward peaceful relations.

Concurrent resolution agreed to. Yeas 92 (50D–42R), Nays 3 (3R), Not Voting 5 (4D–1R). August 5, 1988.

DOD APPROPRIATIONS, 1989 (H.R. 4781)

VOTE NO. 295

Johnston motion to table the Bradley, et al., amendment to strike the section which prohibits the sale or transfer of the AEGIS weapons system, or any part of the system, to Japan for integration into a naval vessel unless the vessel is constructed in a U.S. shipyard.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 20 (13D–7R), Nays 75 (37D–38R), Not Voting 5 (4D–1R). August 5, 1988.

VOTE NO. 296

Johnston motion to table the Wallop amendment which increases funding for SDI research and development by transferring an additional $500 million from the account for NASA defense-related activities.

Motion to table agreed to. Yeas 50 (45D–5R), Nays 44 (5D–39R), Not Voting 6 (4D–2R). August 5, 1988.

DROUGHT ASSISTANCE (H.R. 5015)

VOTE NO. 297

Adoption of the conference report on the bill which provides emergency assistance to livestock producers and commodities farmers affected by the 1988 drought; rescinds the Secretary's authority to reduce the milk price support level by 50 cents per hundredweight on January 1, 1989, and increases the support level by 50 cents from April 1, 1989, to June 30, 1989; authorizes various conservation enhancement, wildlife management, and water management programs to help repair environmental damage from the drought and to help rural areas cope with any future water deficiencies; and provides assistance to low-income agricultural workers affected by the drought through the Job Training Partnership Act programs.

Conference report agreed to. Yeas 92 (51D–41R), Nays 0, Not Voting 8 (3D–5R). August 8, 1988.

Became Public Law 100–387.

NUCLEAR REGULATION REORGANIZATION (H.R. 1315)

VOTE NO. 298

Ford-Domenici–Johnston, et al., amendment which substitutes a government purchase program of domestic uranium in lieu of imposing fees on foreign uranium used in domestic reactors (as contained in S. 2097 passed by the Senate on March 30, 1988—Vote No. [illegible]) retains the titles of S. 2097 establishing the Uranium Enrichment Corporation and the Uranium Tailings [illegible]

Voted

mation Program; establishes a $1.75 billion Uranium Revitalization Fund of which $1 billion is for tailings reclamation and $750 million is for domestic uranium purchases; and capitalizes the Fund from fees imposed on public utilities and the domestic uranium industry and from income earned by the Uranium Enrichment Corporation.

Amendment agreed to. Yeas 78 (41D–37R), Nays 17 (11D–6R), Not Voting 5 (2D–3R). August 8, 1988.

VOTE NO. 299

Passage of the bill which replaces the Nuclear Regulatory Commission (NRC), which is abolished under this Act, with the Nuclear Safety Agency (NSA) and transfers to it all the current functions of the NRC; authorizes $427.8 million in FY 1988 and $450 million in 1989 for the NSA; sets forth procedures for NSA consideration of Department of Energy applications for construction authorizations for nuclear waste repositories; requires the NSA Administrator, within one year of enactment, to issue a proposed rule providing for standardized nuclear power plant designs; establishes a three-member Nuclear Reactor Safety Investigations Board to investigate significant safety events as the Board deems necessary as well as other safety matters at the Administrator's request; and includes provisions to establish programs to provide for uranium revitalization, tailings reclamation, and a government purchase program of domestic uranium.

Bill passed. Yeas 89 (48D–41R), Nays 6 (4D–2R), Not Voting 5 (2D–3R). August 8, 1988.

OCEAN DUMPING REFORM (S. 2030)

VOTE NO. 300

Passage of the bill which amends the Marine Protection, Research, and Sanctuaries Act and other related statutes to end ocean and water disposal of certain types of waste; establishes a framework to end the ocean disposal of sewage sludge by December 31, 1991; bans the dumping of all medical wastes in oceans and navigable waters; sets forth a number of requirements to aid the Coast Guard in controlling the dumping of municipal and commercial waste into oceans and coastal waters; and establishes civil and criminal penalties for violations.

NOTE: The Senate agreed to the conference report by voice vote on October 18, 1988.

Bill passed. Yeas 97 (53D–44R), Nays 0, Not Voting 3 (1D–2R). August 9, 1988.

Became Public Law 100–688.

HUD APPROPRIATIONS, 1989 (H.R. 4800)

VOTE NO. 301

Adoption of the conference report on the bill which appropriates $59,386,045,000 for the Department of Housing and Urban Development for FY 1989, including $9.7 billion for housing programs, $3 billion for Community Development Block Grants, $633.7 million for the Federal Emergency Management Agency, $10.7 billion for NASA, $1.9 billion for the National Science Foundation, $28.2 billion for the VA, and $5.2 billion for EPA.

Rescinds $2.0 million in contract authority and $50.0 million in budget authority for the Rental Housing Assistance Program; limits loans for housing for the elderly or handicapped at $480.1 million; maintains a 1989 FHA mortgage and loan insurance commitment limitation of $96 billion and limits temporary mortgage assistance payments to $103.4 million; and places a $144 billion limitation on GNMA loan guarantee commitments.

Eliminates additional funding for the Urban Development Action Grant Program.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$57,359,891,000
1989 Budget Estimate	58,666,772,000
Approved by House	59,709,920,000
Approved by Senate	59,077,033,000
[illegible]	[illegible]

Voted

Conference report agreed to. Yeas 88 (48D-40R), Nays 8 (3D-5R), Not Voting 4 (3D-1R). August 9, 1988.
Became Public Law 100-404.

NOMINATION OF KAREN B. PHILLIPS TO THE ICC

VOTE NO. 302

Confirmation of the nomination of Karen B. Phillips, of Virginia, to be a member of the Interstate Commerce Commission.
Nomination confirmed. Yeas 71 (29D-42R), Nays 24 (23D-1R), Not Voting 5 (2D-3R). August 10, 1988.

DOD APPROPRIATIONS, 1989 (H.R. 4781)

VOTE NO. 303

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.
Motion for attendance agreed to. Yeas 72 (53D-19R), Nays 22 (22R), Not Voting 6 (1D-5R). August 10, 1988.

SUPPLEMENTAL APPROPRIATIONS, 1988 (H.R. 5026)

VOTE NO. 304

Byrd motion to table the Dole, et al., amendment which provides, from October 1, 1988, to March 31, 1989, $27.4 million in humanitarian assistance to the Nicaraguan Contras for civic action, and non-military training and human rights programs; authorizes the immediate release of $16 million in lethal aid which was previously appropriated and fenced contingent on the peace process; authorizes the Administration to permit the exchange of more-needed lethal items for less-needed lethal items of equal value; permits the President to designate the mode of delivering the aid, including the CIA, if he determines that the Agency for International Development or a similar agency cannot provide safe or effective transportation because of the conduct of the Nicaraguan government; eliminates the current law provision that prohibits U.S. personnel from being in the 20-mile zone paralleling the Nicaraguan land borders; and establishes economic incentives for the Nicaraguan government to establish democracy, including termination of the trade embargo and $10 million in relocation assistance for the Nicaraguan Contras.
NOTE: Subsequently, the bill was passed by voice vote.
Motion to table agreed to. Yeas 57 (51D-6R), Nays 39 (2D-37R), Not Voting 4 (1D-3R). August 10, 1988.
Became Public Law 100-393.

DOD APPROPRIATIONS, 1989 (H.R. 4781)

VOTE NO. 305

Byrd-Dodd-Boren, et al., perfecting amendment (to the Byrd, et al., amendment which provides $27 million in humanitarian aid for the Nicaraguan Contras from October 1, 1988, to March 31, 1989; provides $5 million in medical assistance, to be administered by the Catholic Church, for civilian victims of the war in Nicaragua; requires that the humanitarian aid be dispersed only by the Agency for International Development, the Organization of American States, or another nongovernmental organization; permits the President to request Congress to authorize the release of $16.5 million of previously appropriated lethal aid if he determines that the aid should be resumed and has consulted with the four democratic presidents in the region; and makes any joint resolution passed by the House which authorizes the release of lethal aid a privileged matter in the Senate to be considered under expedited procedures.
Amendment agreed to. Yeas 49 (49D), Nays 47 (4D-43R), Not Voting 4 (1D-3R). August 10, 1988.

VOTE NO. 306

Nunn-Warner-Johnston amendment which incorporates into the bill by reference, the provisions of S. 2355, the DOD Authorization bill, as passed by the Senate on May 27, 1988.

Amendment agreed to. Yeas 90 (49D–41R), Nays 2 (2D), Not Voting 8 (3D–5R). August 10, 1988.

VOTE NO. 307

Johnston motion to table the McCain-Glenn, et al., modified amendment (as a substitute for the Johnston-Nunn-Warner, et al., amendment) to strike the provisions in the underlying amendment which (1) cap the maximum number of dependents of U.S. military personnel who are stationed overseas at the level in place at the end of FY 1987 (413,020), effective October 1, 1989; (2) require the Secretary of Defense to implement policies that will reduce the number of such dependents overseas by ten percent, by October 1, 1991; and (3) make other changes to burden sharing among NATO nations and Japan.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 36 (33D–3R), Nays 59 (20D–39R), Not Voting 5 (1D–4R). August 11, 1988.

VOTE NO. 308

Passage of the bill which appropriates $282,572,013,000 for the Department of Defense and related agencies in FY 1989; includes $78.9 billion for procurement, $37.4 billion for RDT&E, $85.3 billion for operation and maintenance, $78.5 billion for military personnel, $4.3 million for the National Board for the Promotion of Rifle Practice, $3.5 for the U.S. Court of Military Claims, $500 million for DOD compliance with the Superfund legislation, $668.5 million for DOD's revolving and management funds, $13 million for the transport of excess DOD non-lethal supplies for humanitarian assistance to refugees, $144.5 million for the CIA Retirement and Disability System Fund, and $23.7 million for the intelligence community staff; and incorporates into the bill by reference, the provisions of S. 2355, the DOD Authorization bill, as passed by the Senate on May 27, 1988.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$275,534,118,000
1989 Budget Estimate	283,159,445,000
Approved by House	282,602,828,000
Approved by Senate	282,572,013,000
Enacted	282,412,350,000

NOTE: The Senate agreed to the conference report by voice vote on September 30, 1988. See further Vote Nos. 346 and 347 on amendments reported in disagreement.

Bill passed. Yeas 90 (49D–41R), Nays 4 (3D–1R), Not Voting 6 (2D–4R). August 11, 1988.

Became Public Law 100–463.

ROMANIAN HUMAN RIGHTS (S. Res. 461)

VOTE NO. 309

Adoption of the resolution which condemns Romania for its human rights abuses, particularly its plan to raze agricultural villages in traditionally Hungarian areas; urges the Romanian government to institute meaningful human rights reforms and comply with international agreements that are binding on Romania; urges the Romanian government to revise its human rights policies and institute meaningful reforms to comply with international agreements binding on Romania; and urges the President to make clear to the Romanian government that Most-Favored-Nation status will not be restored or other favorable trading privileges extended to Romania until it reforms its human rights practices.

Resolution agreed to. Yeas 93 (52D–41R), Nays 0, Not Voting 7 (2D–5R). August 11, 1988.

Voted

NOMINATION OF RICHARD L. THORNBURGH TO BE ATTORNEY GENERAL

VOTE NO. 310

Confirmation of the nomination of Richard L. Thornburgh, of Pennsylvania, to be U.S. Attorney General.

Nomination confirmed. Yeas 85 (48D–37R), Nays 0, Not Voting 15 (6D–9R). August 11, 1988. -------

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NUCLEAR ACCIDENT CONVENTIONS (Treaty Doc. No. 100–4)

VOTE NO. 311

Adoption of the resolution of ratification of (1) the Convention on Early Notification of a Nuclear Accident which requires state parties to promptly notify potentially affected states and the International Atomic Energy Agency of certain nuclear accidents and to provide and update specified basic information relevant to minimizing an accident's radiological consequences; and (2) the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency which establishes a stand-by framework under which assistance may be provided, but does not require any state party to provide or accept assistance.

NOTE: The Notification and Assistance Conventions entered into force internationally on October 27, 1986, and February 26, 1987, respectively, in accordance with their provision for taking effect 30 days after three states expressed their consent to be bound. The Conventions will enter into force for a particular state 30 days after the date the state expressed its consent to be bound.

Resolution of ratification agreed to. Yeas 97 (53D–44R), Nays 0, Not Voting 3 (1D–2R). September 7, 1988. -------

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INTERNATIONAL ATOMIC ENERGY AGENCY STATUTE AMENDMENTS (Treaty Doc. No. 99–7)

VOTE NO. 312

Adoption of the resolution of ratification of the amendment to Article VI of the Statute of the International Atomic Energy Agency (IAEA), as amended, which increases from nine to ten the number of IAEA members designated for a seat on its Board of Governors by virtue of their status as most advanced in the technology of atomic energy without regard to geographical distribution. This amendment will ensure that the People's Republic of China will be able to occupy a seat on the Board of Governors without displacing the other designated members—Australia, Belgium, Brazil, Canada, Egypt, France, the Federal Republic of Germany, India, Japan, the USSR, the United Kingdom, and the United States.

NOTE: The amendment will enter into force when two-thirds of the members have deposited instruments of acceptance.

Resolution of ratification agreed to. Yeas 97 (53D–44R), Nays 0, Not Voting 3 (1D–2R). September 7, 1988. -------

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INTERNATIONAL NATURAL RUBBER AGREEMENT (Treaty Doc. No. 100–9)

VOTE NO. 313

Adoption of the resolution of ratification of the International Natural Rubber Agreement which is a multilateral commodity agreement designed to stabilize natural rubber prices without interfering with long-term market trends and to foster expanded natural rubber supplies at reasonable prices; and provides for the continuation of the buffer stock of not more than 550,000 metric tons established by the 1979 agreement to be used to defend a price range that is adjusted regularly in accordance with market conditions.

NOTE: The Agreement will enter into force provisionally when governments accounting for at least 75 percent of net exporters and 75 percent of net importers have deposited their instruments of ratification.

Resolution of ratification agreed to. Yeas 97 (53D–44R), Nays 0, Not Voting 3 (1D–2R). September 7, 1988. -------

Voted

TEXTILE APPAREL AND FOOTWEAR TRADE (S. 2662)

VOTE NO. 314

Hollings, et al., motion to close further debate on the bill.

Cloture motion agreed to. Yeas 68 (50D–18R), Nays 29 (3D–26R), Not Voting 3 (1D–2R). September 7, 1988. ________

VOTE NO. 315

Hollings motion to table the Gramm point of order that consideration of the bill violates Article I, Section 7, of the Constitution, which requires that "All bills for raising revenue shall originate in the House of Representatives," and is therefore out of order.

Motion to table agreed to. Yeas 71 (51D–20R), Nays 24 (1D–23R), Not Voting 5 (2D–3R). September 7, 1988. ________

VOTE NO. 316

Hollings motion to table the Packwood amendment to make the annual import quotas on each category of textiles and textile products inapplicable if the Secretary of Commerce determines that the average return on assets of U.S. textile and textile product manufacturers for the preceding calendar year exceeded the national average return on assets of all U.S. manufacturing industries.

Motion to table agreed to. Yeas 62 (46D–16R), Nays 34 (6D–28R), Not Voting 4 (2D–2R). September 7, 1988. ________

VOTE NO. 317

Hollings motion to table the Gramm amendment to allow the President to suspend application of the Act's import limitations if he determines that they would impose a proportionately greater economic burden on the poor than on the U.S. population as a whole.

Motion to table agreed to. Yeas 60 (48D–12R), Nays 34 (3D–31R), Not Voting 6 (3D–3R). September 7, 1988. ________

VOTE NO. 318

Hollings motion to table Division L of the Evans amendment which exempts from the Act's import limitations those countries which purchased more U.S.-produced textiles and textile products than they exported to the U.S. in 1987.

Motion to table agreed to. Yeas 59 (44D–15R), Nays 31 (4D–27R), Not Voting 10 (6D–4R). September 7, 1988. ________

VOTE NO. 319

Hollings motion to table the Gramm amendment to exempt workers' coveralls, uniforms, workshoes, and workboots from the Act's import limitations.

Motion to table agreed to. Yeas 62 (47D–15R), Nays 28 (2D–26R), Not Voting 10 (5D–5R). September 7, 1988. ________

VOTE NO. 320

Hollings motion to table the Gramm amendment which permits the President, after consulting with the U.S. Trade Representative, to exempt from the import quotas under the Act any country that imposes lower tariffs and quotas on U.S. exports than those imposed on that country's exports to the U.S.; and requires the President to submit to Congress, within 90 days of enactment, a written certification of any exemption under this provision.

Motion to table agreed to. Yeas 68 (49D–19R), Nays 26 (2D–24R), Not Voting 6 (3D–3R). September 8, 1988. ________

VOTE NO. 321

Cohen motion to table the Packwood amendment which exempts athletic footwear from the Act's footwear quotas.

Motion to table agreed to. Yeas 66 (46D–20R), Nays 28 (5D–23R), Not Voting 6 (3D–3R). September 8, 1988. ________

VOTE NO. 322

Hollings motion to table the Graham amendment which exempts Caribbean Basin Initiative countries from the Act's import limitations.

Motion to table agreed to. Yeas 59 (42D–17R), Nays 34 (9D–25R), Not Voting 7 (3D–4R). September 8, 1988. ________

TEXTILE APPAREL AND FOOTWEAR TRADE—Continued

VOTE NO. 323

Cohen motion to table the Chafee amendment (as a substitute for the bill) which strikes nonrubber footwear from the list of imports which would be regulated by the bill.

Motion to table agreed to. Yeas 63 (45D–18R), Nays 26 (4D–22R), Not Voting 11 (5D–6R). September 9, 1988.

VOTE NO. 324

Passage of the bill which limits annual imports into the U.S. of all textiles, textile products, and nonrubber footwear.

Note: Subsequently, the Senate, on September 15, 1988, passed the House companion bill, H.R. 1154 (Vote No. 329, which was vetoed by the President).

Bill passed. Yeas 57 (40D–17R), Nays 32 (9D–23R), Not Voting 11 (5D–6R). September 9, 1988.

PRESIDENT ZIA OF PAKISTAN (S. Res. 468)

VOTE NO. 325

Adoption of the resolution which expresses the Senate's regret at the death of President Mohammad Zia ul-Haq of Pakistan; reaffirms the long-standing commitment to the security and independence of Pakistan; and welcomes the commitment of the government of Pakistan under the leadership of President Ghulam Ishaq Khan to follow the constitutional process, proceed with fair parliamentary elections scheduled for November 16, and continue Pakistan's support for the Afghan refugees and Resistance in their struggle for freedom in Afghanistan.

Resolution agreed to. Yeas 85 (48D–37R), Nays 0, Not Voting 15 (6D–9R). September 9, 1988.

LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783)

VOTE NO. 326

Chiles motion to table the Weicker motion to insist on the Senate amendment which makes a victim of rape or incest eligible for a Federally-funded abortion only if the incident is reported promptly to a law enforcement agency; permits payments for drugs to prevent the implantation of a fertilized ovum and for the termination of an ectopic pregnancy; and allows any State the right to refuse to fund an abortion except where the mother's life would be endangered if the fetus were carried to term.

Motion to table failed. Yeas 44 (16D–28R), Nays 46 (33D–13R), Not Voting 10 (5D–5R). September 13, 1988.

VOTE NO. 327

Reconsideration of Vote No. 326 by which the Senate failed to table the Weicker motion to insist on the Senate amendment which makes a victim of rape or incest eligible for a Federally-funded abortion only if the incident is reported promptly to a law enforcement agency; permits payments for drugs to prevent the implantation of a fertilized ovum and for the termination of an ectopic pregnancy; and allows any State the right to refuse to fund an abortion except where the mother's life would be endangered if the fetus were carried to term.

Note: Prior to this vote, the Senate agreed by voice vote to a motion to reconsider Vote 326. Subsequent to this vote, the Senate agreed to recede from its position on this amendment by voice vote.

Motion to table agreed to. Yeas 47 (20D–27R), Nays 43 (30D–13R), Not Voting 9 (4D–5R), Live Pairs 1 (1R). September 13, 1988.

Voted

NOMINATION OF NICHOLAS F. BRADY TO BE SECRETARY OF THE TREASURY

VOTE NO. 328

Confirmation of the nomination of Nicholas F. Brady, of New Jersey, to be Secretary of the Treasury.

Nomination confirmed. Yeas 92 (50D-42R), Nays 2 (2D), Not Voting 6 (2D-4R). September 14, 1988. -------

TEXTILE APPAREL AND FOOTWEAR TRADE (H.R. 1154)

VOTE NO. 329

Passage of the bill which limits annual imports into the U.S. of all textiles, textile products, and nonrubber footwear.

NOTE: The legislation is consistent with GATT article XIX since it includes a congressional, finding of injury to the domestic industry, global quotas, and authorization to negotiate compensation.

On September 28, the President vetoed H.R. 1154, saying it "would have disastrous effects on the U.S. economy" and "impose needless costs on American consumers, threaten jobs in our export industries, jeopardize our overseas farm sales, and undermine our efforts to obtain a more open trading system for U.S. exports."

Bill passed. Yeas 59 (42D-17R), Nays 36 (10D-26R), Not Voting 5 (2D-3R). September 15, 1988. -------

Vetoed.

MINIMUM WAGE (S. 837)

VOTE NO. 330

Byrd motion to proceed to consideration of the bill.

Motion to proceed agreed to. Yeas 87 (50D-37R), Nays 7 (1D-6R), Not Voting 6 (3D-3R). September 15, 1988. -------

SOVIET ABM TREATY VIOLATIONS (S. Res. 474)

VOTE NO. 331

Adoption of the resolution stating the sense of the Senate that it: (1) strongly supports the continuation of settled national policy, reiterated in the August 31 unilateral statement, that unequivocal Soviet violations of the ABM Treaty, as exemplified by the radar at Krasnoyarsk, must be corrected before the conclusions of any future agreements on strategic arms; (2) urges the President to work with Congress to develop appropriate, proportionate response options to the Krasnoyarsk radar and any other unequivocal ABM Treaty violations that would, if not corrected, deny the U.S. the essential benefits of the Treaty and be detrimental to U.S. security; and (3) is willing to consider as soon as possible any such responses that might require legislative action.

Resolution agreed to. Yeas 81 (47D-34R), Nays 0, Not Voting 19 (7D-12R). September 16, 1988. -------

CANADA-U.S. FREE TRADE AGREEMENT (H.R. 5090)

VOTE NO. 332

Passage of the bill which amends current law as necessary to implement the Free Trade Agreement (FTA) and approves the FTA entered into on January 2, 1988, and the Statement of Administrative Action proposed by the President to implement the FTA which establishes a free trade area consistent with the General Agreement on Tariffs and Trade in order to (1) reduce barriers to trade in goods and services between the U.S. and Canada, (2) facilitate conditions of fair competition, (3) significantly liberalize conditions for investment, (4) establish effective procedures to administer the FTA and resolve disputes, and (5)

Voted

CANADA-U.S. FREE TRADE AGREEMENT—Continued

lay the foundation for further bilateral and multilateral cooperation between the two countries.

NOTE: Under the FTA, the U.S. and Canada agree to take all necessary measures to ensure compliance with the FTA by their respective state, provincial, and local governments. The FTA generally will take precedence over pre-existing agreements, unless otherwise specified.

Bill passed. Yeas 83 (43D–40R), Nays 9 (7D–2R), Not Voting 8 (4D–4R). September 19, 1988. _______

Became Public Law 100–449.

NOMINATION OF LAURO F. CAVAZOS TO BE SECRETARY OF EDUCATION

VOTE NO. 333

Confirmation of the nomination of Lauro F. Cavazos, of Texas, to be Secretary of Education.

Nomination confirmed. Yeas 94 (51D–43R), Nays 0, Not Voting 6 (3D–3R). September 20, 1988. _______

MINIMUM WAGE (S. 837)

VOTE NO. 334

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 80 (51D–29R), Nays 15 (1D–14R), Not Voting 5 (2D–3R). September 22, 1988. _______

VOTE NO. 335

Kennedy, et al., motion to close further debate on the Committee substitute for the bill.

Cloture motion rejected. Yeas 53 (50D–3R), Nays 43 (3D–40R), Not Voting 4 (1D–3R). September 22, 1988. _______

VOTE NO. 336

Kennedy, et al., second motion to close further debate on the Committee substitute amendment for the bill.

Cloture motion rejected. Yeas 56 (48D–8R), Nays 35 (3D–32R), Not Voting 9 (3D–6R). September 23, 1988. _______

PROMPT PAYMENT ACT (S. 328)

VOTE NO. 337

Sasser motion to table the Grassley-Armstrong amendment (to the House amendment) to establish a 15-member Presidential Advisory Panel for Coordination of Government Debt Collection and Delinquency Prevention Activities to review Federal policies on debt collection and delinquency prevention and recommend uniform policies, procedures, and guidelines for the U.S. government.

NOTE: The Senate passed the bill on October 9, 1987 (see Vote No. 318, 100th-1st.) Following this vote, the Senate concurred in the House amendments, thereby clearing the measure for the President.

Motion to table agreed to. Yeas 54 (47D–7R), Nays 33 (2D–31R), Not Voting 13 (5D–8R). September 23, 1988. _______

Became Public Law 100–496.

COMMERCE-STATE-JUSTICE APPROPRIATIONS, 1989 (H.R. 4782)

VOTE NO. 338

Adoption of the conference report on the bill which appropriates $14,849,392,000 in new budget authority for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies in FY 1989, of which $2.7 billion is for the Department of Commerce, $5.4 billion is for the Department of Justice, $2.7 billion is for the Department of State, $1.4 billion is for the Judiciary, and $2.6 billion is for Related Agencies.

Postpones the finalization of the new H-1 visa regulations until October 1, 1989.

Creates the position of Special Envoy to the Afghan Resistance within the State Department (who shall hold the rank of Ambassador) to coordinate U.S. policies and programs involving the resistance.

Prohibits changes in the administration and enforcement of FCC rules on newspaper-broadcast cross-ownership and directs the FCC to take administrative action to keep all obscene and indecent programming off of radio and TV regardless of the time of day; permits the new Legal Services Board, nominated after January 20, 1989, to develop and implement after September 30, 1989, a system for the competitive award of grants and contracts; and provides $7.5 million for USIA to initiate a surrogate home television broadcasting service to Cuba to be known as Television Marti which meets the same requirements as Radio Marti.

Budget Authority Considered

1988 Appropriations	$14,008,004,000
1989 Budget Estimate	15,504,004,000
Approved by House	7,966,708,000
Approved by Senate	15,006,408,000
Enacted	14,849,392,000

Conference report agreed to. Yeas 77 (46D–31R), Nays 13 (2D–11R), Not Voting 10 (6D–4R). September 27, 1988.

Became Public Law 100–459.

PARENTAL LEAVE (S. 2488)

VOTE NO. 339

Thurmond, et al., modified amendment (to the second Committee amendment) which clarifies that current laws prohibiting advertisement of child pornography are applicable to computer advertisements; prohibits the buying and selling of children for use in child pornography; requires producers of sexually explicit material to document the ages of persons appearing in the material; provides for criminal and civil asset forfeiture in obscenity cases; includes child pornography violations as predicate offenses under the RICO statute; creates a new offense which prohibits certain business persons from receiving or possessing, with the intent to sell or distribute, obscene matter which has moved in interstate or foreign commerce; shifts the burden of proof in obscenity cases from the prosecutor to the defendant when the question of interstate commerce is to be decided in trial; makes it illegal to sell or possess obscene material or child pornography on Federal lands; increases the penalty for obscene Dial-a-Porn violations; makes it illegal to provide obscene programming on cable and subscription television services; and clarifies that States may regulate obscenity or matters not otherwise constitutionally protected.

Amendment agreed to. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). September 28, 1988.

DOD AUTHORIZATION, 1989 (H.R. 4481)

VOTE NO. 340

Adoption of the conference report on the bill which, except for minor technical amendments and the following six substantive changes, is identical to H.R. 4264 (Vote No. 252), the vetoed FY 1989 DOD Authorization bill: (1) all earmarkings on SDI funding are deleted and the restriction on the Space Based Interceptor (SBI) Program is removed with a directive that the Secretary instead submit a detailed report prior to the adjournment of Congress on the restructured SBI program; (2) the amount available for the Rail-Garrison MX Program after February 15, 1989, if the new President decides to go forward with the program, is increased from $250 million to $350 million (by transfer); (3) the moratorium on flight testing of any U.S. depressed trajectory ballistic missile in FY 1989 is deleted; (4) technical changes to the provision which directed the deactivation of two Poseidon submarines are incorporated in order to facilitate the Navy's handling of the submarines while they await dismantling; (5) the effective date of the provision requiring that all DOD awards of grants and contracts to colleges and universities for the performance of research and development be made using competitive procedures is delayed for one year; and (6) the number of defense auditors who monitor industry contracts for possible fraud is substantially increased.

NOTE: See Vote No. 252 on the conference report.

Conference report agreed to. Yeas 91 (49D–42R), Nays 4 (3D–1R), Not Voting 5 (2D–3R). September 28, 1988.

Became Public Law 100–456.

WELFARE OVERHAUL/WORKFARE (H.R. 1720)

VOTE NO. 341

Adoption of the conference report on the bill which replaces, effective October 1, 1990, the Work Incentive (WIN), WIN Demonstration, Community Work Experience, Work Supplementation, and Job Search programs with a new Job Opportunities and Basic Skills Training Program which would offer welfare recipients a range of basic education and skills training services and activities, including job search and community work experience, in order to assist these individuals to leave welfare and enter the workforce; requires States to establish job training programs and requires welfare recipients, unless otherwise exempt, to participate in the program as a condition of receiving benefits; provides day care assistance if needed for an individual's participation; provides day care and Medicaid coverage for one year to individuals who leave the welfare rolls for a job; requires States to provide cash assistance to two-parent families in which the principal wage earner is unemployed and to provide full Medicaid coverage to all family members for one year, including months in which benefits are not paid; strengthens provisions to improve the enforcement of child support orders; and contains revenue provisions to fully offset the cost of this legislation.

Conference report agreed to. Yeas 96 (52D–44R), Nays 1 (1R), Not Voting 3 (2D–1R). September 29, 1988.

Became Public Law 100–485.

FOREIGN OPERATIONS APPROPRIATIONS, 1989 (H.R. 4637)

VOTE NO. 342

Inouye motion to table the Symms modified amendment (to the House amendment to the Senate amendment) which strikes the six-year authorization for additional U.S. contributions to the World Bank.

Motion to table agreed to. Yeas 57 (38D–19R), Nays 34 (9D–25R), Not Voting 9 (7D–2R). September 30, 1988.

VOTE NO. 343

Sanford motion to table the Metzenbaum-Helms perfecting amendment (to the Pell amendment) which prohibits the Overseas Private Investment Corporation (OPIC) from insuring, reinsuring, or guaranteeing (1) projects which produce exports to the U.S. that are directly competitive with goods manufactured in the U.S. unless the project is located in a country whose annual per capita income is $984 or less in 1986 U.S. dollars, (2) any petroleum producing project or hotel project, and (3) assistance to any financial institution that is not in an underdeveloped nation; makes these prohibitions applicable to notes issued after enactment; and requires OPIC to report to Congress within six months on the status of the implementation of all recommendations contained in the General Accounting Office report on OPIC operations issued in May, 1987.

Motion to table agreed to. Yeas 72 (31D–41R), Nays 23 (21D–2R), Not Voting 5 (2D–3R). September 30, 1988.

PARENTAL LEAVE (S. 2488)

VOTE NO. 344

Byrd motion to table the Dole motion to postpone further consideration of the bill (which includes parental leave, child care, and child pornography programs) until Thursday, October 6, 1988, at 4:00 p.m.

Motion to table agreed to. Yeas 52 (49D-3R), Nays 42 (2D-40R), Not Voting 6 (3D-3R). September 30, 1988.

AGRICULTURE APPROPRIATIONS, 1989 (H.R. 4784)

VOTE NO. 345

Adoption of the conference report on the bill which appropriates a total of $42,512,839,000 in new budget authority for the Department of Agriculture and related agencies in FY 1989, plus $4,101,083,000, by transfer from section 32 (customs receipts), making a total of $46,613,922,000 available in obligational authority.

Specifies that adult day care centers are eligible to participate in the child care food program and directs USDA to issue regulations to assure maximum participation.

Provides prepayment authority for REA guaranteed loans made by the Federal Financing Bank in the amount of $150 million for telephone program borrowers and $350 million for electric program borrowers; and makes $20 million of section 32 funds available in FY 1989-90 to purchase sunflower oil for export through the Sunflower Oil Assistance Program.

BUDGET AUTHORITY CONSIDERED

1988 Appropriations	$52,361,202,000
1989 Budget Estimate	42,539,915,000
Approved by House	40,038,072,000
Approved by Senate	43,605,071,000
Enacted	42,512,839,000

Conference report agreed to. Yeas 90 (50D-40R), Nays 4 (1D-3R), Not Voting 6 (3D-3R). September 30, 1988.

Became Public Law 100-460.

DOD APPROPRIATIONS, 1989 (H.R. 4781)

VOTE NO. 346

Johnston motion to table the Helms, et al., amendment (to the House amendment to the Senate amendment) which prohibits any funds from being obligated or spent after December 1, 1989, to dismantle any Poseidon submarines unless the President, using existing authority on that date, has certified to Congress that the Soviet Union has dismantled the Krasnoyarsk radar.

Motion to table agreed to. Yeas 66 (47D-19R), Nays 25 (3D-22R), Not Voting 9 (4D-5R). September 30, 1988.

VOTE NO. 347

Johnston motion to table the Nunn amendment (as a substitute for the House amendment for Senate amendment) which strikes the earmarking for nine university research projects; requires a report by the Secretary of Defense to Congress on what educational institutions are earmarked to receive project funding that were not in the President's budget request; and maintains the R&D funding level.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 35 (31D-4R), Nays 53 (17D-36R), Not Voting 12 (6D-6R). September 30, 1988.

D.C. APPROPRIATIONS, 1989 (H.R. 4776)

VOTE NO. 348

Nickles motion to table the Bradley motion to disagree to the House amendment which prohibits District of Columbia funds (as well as Federal funds) from being used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

Motion to table agreed to. Yeas 45 (14D-31R), Nays 44 (34D-10R), Not Voting 11 (6D-5R). September 30, 1988.

PARENTAL LEAVE (S. 2488)

VOTE NO. 349

Reid, et al., motion to close further debate on the Byrd motion to recommit the bill to Committee with instructions to report back forthwith with a substitute amendment containing provisions dealing with parental leave, child pornography, and child care.

Cloture motion agreed to. Yeas 85 (50D–35R), Nays 6 (2D–4R), Not Voting 9 (2D–7R). October 3, 1988. ______

BERNE COPYRIGHT CONVENTION IMPLEMENTATION (S. 1301)

VOTE NO. 350

Passage of the bill which amends Title 17, U.S.C., to make changes to the U.S. copyright law as necessary for the U.S. to adhere to the Berne Convention for the Protection of Literary and Artistic Works, signed at Berne, Switzerland, on September 9, 1986; gives guidance to the courts on how to construe U.S. adherence to the Convention; and defines the subject matter, scope of copyrights, and type of notice, filing, or registration required for a work to be protected against unauthorized use.

NOTE: Subsequently, the Senate passed, by voice vote, H.R. 4262, the House companion bill, as amended by the text of this bill, as passed.

Bill passed. Yeas 90 (51D–39R), Nays 0, Not Voting 10 (3D–7R). October 5, 1988. ______

Became Public Law 100–568.

TAX REFORM TECHNICAL CORRECTIONS (S. 2238)

VOTE NO. 351

Kennedy-Metzenbaum, et al., amendment which exempts from individual gross income the interest from U.S. savings bonds paid to an educational institution for tuition and reduces this tax exemption when adjusted gross income reaches $60,000 or more until it is completely phased out at $80,000.

Amendment agreed to. Yeas 94 (51D–43R), Nays 0, Not Voting 6 (3D–3R). October 6, 1988. ______

VOTE NO. 352

Humphrey motion to table the Humphrey, et al., amendment which denies tax-exempt status to any organization which receives more than one percent of its gross receipts from performing abortions or providing the facilities for abortions, except in cases where the life of the mother would be endangered if the fetus were carried to term.

Motion to table agreed to. Yeas 56 (41D–15R), Nays 39 (11D–28R), Not Voting 5 (2D–3R). October 6, 1988. ______

VOTE NO. 353

Gramm motion to recommit the bill to the Finance Committee with instructions to report back forthwith with a Committee substitute amendment, as amended by the Gramm amendment which provides for the transfer of the following funding amounts to the Attorney General and the Secretaries of HHS and Education for the purpose of funding the provisions of the drug bill (S. 2852): $182.0 million from the Economic Development Administration; $58.6 million from the Legal Services Corporation; $584.0 million from Amtrak; $196.2 million from the Low-Income Energy Assistance Fund; and $21.9 million from the coal purchase account of the Defense Stock Fund.

Motion to recommit rejected. Yeas 22 (2D–20R), Nays 72 (49D–23R), Not Voting 6 (3D–3R). October 6, 1988. ______

VOTE NO. 354

Baucus motion to table the Rudman amendment (and its amendment thereto) which increases the tax on cigarettes (two cents per pack), distilled spirits ($1.50 per gallon), wines (five cents per bottle), and beer (five cents per six-pack) in order to fund the drug bill from the revenue resulting from these excise increases which have been deposited in a Drug Free America Trust Fund.

Motion to table agreed to. Yeas 60 (36D–24R), Nays 33 (15D–18R), Not Voting 6 (3D–3R), Present 1 (1R). October 6, 1988.

PARENTAL LEAVE (S. 2488)

VOTE NO. 355

Adams, et al., motion to close further debate on the Committee substitute amendment for the bill.

Cloture motion rejected. Yeas 50 (45D–5R), Nays 46 (8D–38R), Not Voting 4 (1D–3R). October 7, 1988.

VOTE NO. 356

DeConcini, et al., amendment expressing the sense of the Senate that the Senate conferees should oppose and reject any restrictions on the use of tax-exempt bonds by nonprofit organizations building residential rental property.

Amendment agreed to. Yeas 88 (51D–37R), Nays 0, Not Voting 12 (3D–9R). October 7, 1988.

VOTE NO. 357

Evans motion to table the Evans-Cranston-Durenberger modified perfecting amendment (to the Cranston-Evans-Durenberger amendment) which establishes a Commission on Compensation Equity to study the Federal wage system in order to determine whether wage discrimination against minority and female employees exists in the Federal pay and classification system and requires the study to include both a job content (comparable worth) analysis and an economic analysis.

NOTE: The Evans-Cranston-Durenberger modified perfecting amendment fell when the underlying amendment was withdrawn.

Motion to table failed. Yeas 14 (2D–12R), Nays 72 (45D–27R), Not Voting 14 (7D–7R). October 7, 1988.

VOTE NO. 358

Riegle motion to table the D'Amato, et al., amendment which increases the limit on tax-free employer-provided mass transit fringe benefits from $15 per month to $38 per month, offset by doubling the gas guzzler tax on automobiles that achieve less than 22.5 miles per gallon.

Motion to table agreed to. Yeas 43 (31D–12R), Nays 41 (15D–26R), Not Voting 16 (8D–8R). October 7, 1988.

VOTE NO. 359

Cranston motion to table the Cranston perfecting amendment (to the Bradley amendment) which repeals the restriction in the D.C. appropriations bill that prohibits the use of D.C. funds to pay for abortions except where the life of the mother is endangered.

NOTE: The Cranston perfecting amendment fell when the underlying amendment was withdrawn.

Motion to table failed. Yeas 40 (13D–27R), Nays 43 (32D–11R), Not Voting 17 (9D–8R). October 7, 1988.

VOTE NO. 360

Inouye motion to table the Gore amendment to add the text of S. 889, the Satellite Television Fair Marketing Act, which allows home dish owners to buy satellite television programming that is made available to cable operators; requires programmers who allow cable distributors to sell to home dish owners to establish distribution criteria and not discriminate among distributors; requires Public Broadcasting System and the Armed Forces Radio and Television Service (unless prohibited by a multilateral trade agreement) to maintain an unscrambled signal for home dish reception; requires the Federal Trade Commission to improve the availability of network programming in highly rural areas and monitor the price and availability of decoder equipment; and requires the FTC to investigate anticompetitive activity.

Motion to table agreed to. Yeas 43 (19D–24R), Nays 36 (26D–10R), Not Voting 21 (9D–12R). October 7, 1988.

Voted

PARENTAL LEAVE—Continued

VOTE NO. 361

Bumpers substitute amendment (for the Warner amendment) which adds 542 acres to the Manassas National Battlefield Park in order to protect this area from development.

Amendment agreed to. Yeas 50 (42D-8R), Nays 25 (2D-23R), Not Voting 25 (10D-15R). October 7, 1988.

VOTE NO. 362

Baucus motion to table the Bradley amendment which increases the earned income tax credit for low-income individuals from 14 percent to 15 percent, increases the maximum credit from $875 to $978, and increases the income level above which the credit is phased out from $19,400 to $19,820; offsets the $1.6 billion revenue loss by deleting most of the revenue-losing provisions of the Committee substitute amendment (except the low-income housing credit, mortgage revenue bonds, and the targeted jobs tax credit) including: the taxpayer bill of rights provision, the six-month extension of the research and development tax credit, the 12-month extensions of group legal services and the tax exemption for employer-provided educational assistance, uniform capitalization rules for artists and writers and for livestock (striking the "heifer" tax), and miscellaneous, noncontroversial provisions.

Motion to table agreed to. Yeas 85 (48D-37R), Nays 2 (2D), Not Voting 13 (4D-9R). October 11, 1988.

VOTE NO. 363

Baucus motion to table the Bradley amendment which strikes the following revenue-losing provisions of the Committee substitute amendment and allocates approximately $1.6 billion to be saved over three years for an Anti-Substance Abuse Trust Fund to finance the provisions of the drug bill to be passed this year: the low-income housing credit, mortgage revenue bond extension, the targeted jobs tax credit, the taxpayer bill of rights, the six-month extension of the research and development tax credit, the 12-month extensions of group legal services and the tax exemption for employer-provided educational assistance, uniform capitalization rules for artists and writers and for livestock (striking the "heifer" tax), and miscellaneous, noncontroversial provisions.

NOTE: The provisions listed above would not take effect if a drug bill is not enacted in 1988.

Motion to table agreed to. Yeas 82 (46D-36R), Nays 5 (4D-1R), Not Voting 13 (4D-9R). October 11, 1988.

VOTE NO. 364

Pell-Helms amendment which immediately imposes sanctions against Iraq for the use of chemical weapons in violation of international law that (1) prohibit the export to Iraq of items on the munitions control list and items controlled for national security and (2) require the U.S. representatives to oppose international financial institution loans to Iraq; requires the President to impose additional sanctions, if, by December 31, 1988, Iraq has not halted its use of chemical weapons and has not provided verifiable assurances that it will not again use chemical weapons; includes such additional sanctions to be imposed as: denial of export-import credits, prohibitions on Iraqi imports into the U.S., additional restrictions on exports to Iraq (excluding agricultural commodities), and downgrading of diplomatic relations; and permits the President to waive all sanctions upon certifying to Congress that Iraq has provided assurances that it will not use chemical weapons again.

Amendment agreed to. Yeas 87 (49D-38R), Nays 0, Not Voting 13 (5D-8R). October 11, 1988.

VOTE NO. 365

Daschle-Dole, et al., substitute amendment (for the Melcher amendment No. 3650 allowing farmers with sales of less than $1 million to income average) which clarifies that crop disaster payments received under the Drought Relief Bill of 1988 may be counted as income in 1989, as is the case for other disaster relief payments, and offsets the cost of this clarification by permitting the U.S. to collect estate tax from the foreign spouse of a deceased U.S. citizen.

Amendment agreed to. Yeas 87 (50D-37R), Nays 1 (1R), Not Voting 12 (4D-8R). October 11, 1988.

VOTE NO. 366

Passage of the bill which makes technical corrections and modifications to the Tax Reform Act of 1986, and other recently enacted revenue legislation including the Superfund Revenue Act of 1986 (P.L. 99-499), the Harbor Maintenance Revenue Act of 1986 (P.L. 99-662), the Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509), and the Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203), which includes the Revenue Act of 1987, the Pension Protection Act, the Vaccine Tax Provisions, and Social Security Act Technical Amendments; extends certain expiring tax provisions, including certain energy tax credits (through June 30, 1989) the modified targeted jobs credit for certain individuals, and the research expenditures tax credit (through March 31, 1989), allows all exempted off-highway business users, such as farmers, to buy diesel and nongasoline aviation fuels without paying the excise taxes; permits writers, artists, and photographers to take current deductions for the expenses of their freelance work; contains a number of provisions to close loopholes, including requiring a corporation that uses the annualization method for a prior estimated tax payment to make up the entire shortfall (rather than 90 percent of the shortfall) in the subsequent payment in order to avoid a penalty, modifying the treatment of loans and other amounts received under class of life insurance contracts that are statutorily defined as modified endowment contracts, and limiting the statutory alcohol flavors credit to cases where the flavors remain in the distilled spirits beverage after completion of all distillation; contains the taxpayer bill of rights designed to provide taxpayers fairer treatment in their dealings with the IRS; extends the moratorium on laboratory payment demonstrations from January 1, 1989, until January 1, 1990; requires the immediate imposition of sanctions against Iraq for the use of chemical weapons in violation of international law and requires the President to impose additional sanctions if, by December 31, 1988, Iraq has not halted its use of chemical weapons and has not provided verifiable assurances that it will not again use chemical weapons, and permits the President to waive all sanctions upon certifying to Congress that Iraq has provided assurances that it will not use chemical weapons again; directs the Secretary of Treasury in consultation with the Secretary of HHS to conduct a study on the health care costs relating to smoking; and adds 542 acres to the Manassas National Battlefield Park in order to protect the area from development.

Bill passed. Yeas 87 (49D-38R), Nays 1 (1D), Not Voting 12 (4D-8R). October 11, 1988.

MILITARY BASE CLOSINGS (S. 2749)

VOTE NO. 367

Adoption of the conference report on the bill which authorizes the Commission on Base Realignment and Closure appointed by the Secretary of Defense on May 3, 1988, to recommend a list of military installations to be closed or realigned and submit the list to the Secretary by December 31, 1988; requires the Secretary to submit a report to Congress stating his decision on whether to accept the Commission's recommendations, together with a list of the bases to be closed or realigned, by January 16, 1989; and requires the Secretary to close or realign all military installations, both domestic and overseas, as recommended by the Commission, unless Congress, under expedited procedures, enacts a joint resolution disapproving all of the Commission's recommendations within the 45-day period beginning on March 1, 1989.

Conference report agreed to. Yeas 82 (45D-37R), Nays 7 (5D-2R), Not Voting 10 (4D-6R), Live Pairs 1 (1R). October 12, 1988.

Became Public Law 100-526.

DRUG ABUSE (H.R. 5210)

VOTE NO. 368

Hatfield-Evans-Levin-Chafee amendment which strikes the death penalty and 20-year minimum sentence for drug-related killings and substitutes in lieu thereof a mandatory life sentence without any possibility of parole.

Amendment rejected. Yeas 25 (19D-6R), Nays 64 (31D-33R), Not Voting 10 (4D-6R), Live Pairs 1 (1R). October 13, 1988.

DRUG ABUSE—Continued

VOTE NO. 369

Kennedy amendment which prohibits the imposition or execution of a death sentence under Federal law if that sentence furthers a racially disproportionate pattern and provides that if a defendant can establish with real evidence, including statistical evidence, that race played a role in the capital sentencing, the government is required to provide clear and convincing evidence that the statistical disparity resulted from other, nonracial factors, such as differences in the nature of the crimes or in the conviction records of the defendants.

Amendment rejected. Yeas 35 (29D–6R), Nays 52 (20D–32R), Not Voting 13 (5D–8R). October 13, 1988. _______

VOTE NO. 370

D'Amato motion to table the Simon amendment which makes the death penalty applicable only for the drug-related killing of a police officer or a bystander not engaged in furthering a criminal enterprise.

Motion to table agreed to. Yeas 72 (37D–35R), Nays 16 (13D–3R), Not Voting 12 (4D–8R). October 13, 1988. _______

VOTE NO. 371

Domenici, et al., amendment which permits the Attorney General, as an alternative to criminal prosecution, to impose a civil penalty of up to $10,000 on any individual caught possessing a controlled substance; prohibits the civil penalty from being assessed more than twice on any individual; allows the individual's record to be expunged after three years if he/she has paid the fine and complied with any other imposed conditions, has not been fined again or convicted of any drug offense, and submits to a drug test which shows the individual to be drug-free; and requires that the individual's ability to pay be taken into account in determining the amount of the fine.

Amendment agreed to. Yeas 88 (50D–38R), Nays 0, Not Voting 12 (4D–8R). October 13, 1988. _______

VOTE NO. 372

Gramm-Domenici amendment which allows courts to deny Federal benefits, including means-tested benefits, to individuals who are convicted in any Federal or State court of drug trafficking for up to five years for a first offense, 10 years for a second offense, and mandates permanent cutoff for a third offense; allows courts to deny non-means-tested Federal benefits to those convicted of drug use for up to one year for a first offense and up to five years for a second offense; provides that drug treatment program benefits would not be cut off if the convicted individual could show that he is addicted to drugs and will submit to a long-term drug treatment program; and states that Federal benefits may not be denied for Social Security, Medicare, railroad retirement, veterans' benefits, or other benefits for which payments or services are required for eligibility.

Amendment agreed to. Yeas 78 (43D–35R), Nays 11 (7D–4R), Not Voting 11 (4D–7R). October 14, 1988. _______

VOTE NO. 373

Wilson, et al., amendment which directs the Secretary of Transportation to design and implement a pilot program for testing individuals who apply for a driver's license for the unlawful usage of a controlled substance; selects four States (one each from the Southern, Northeastern, and Central States, and California) from those that volunteer to participate in the pilot for one year; requires each participating State to deny an individual driving privileges for one year if the tests show he/she has used illicit drugs; provides that random testing for drug usage may be performed (1) prior to granting the license and (2) during the first year after granting the license; and authorizes $5 million to be appropriated from the Highway Trust Fund.

Amendment agreed to. Yeas 77 (40D–37R), Nays 10 (7D–3R), Not Voting 13 (7D–6R). October 14, 1988. _______

VOTE NO. 374

Kerry, et al., amendment which requires the Secretary of the Treasury to enter into negotiations with foreign governments in an attempt to require foreign banks to keep records of U.S. currency transactions in excess of $10,000 including documentation of the person initiating the transaction, and requires the Presi-

dent to impose appropriate penalties and sanctions against the countries that are engaged in currency transactions (money laundering) that affect U.S. narcotics trafficking.

Amendment agreed to. Yeas 85 (48D–37R), Nays 3 (3R), Not Voting 12 (6D–6R). October 14, 1988. -------

VOTE NO. 375

Metzenbaum-Kassebaum, et al., amendment which bans undetectable firearms (plastic guns) manufactured after March 1, 1988.

Amendment agreed to. Yeas 89 (49D–40R), Nays 0, Not Voting 11 (5D–6R). October 14, 1988. -------

VOTE NO. 376

Passage of the bill which prevents the manufacture, distribution, and use of illegal drugs by providing a two-year authorization totaling $1.4 billion in outlays ($2.5 billion in budget authority), of which 60 percent is for demand reduction programs such as treatment and education and 40 percent for supply reduction programs including law enforcement and eradication; creates a Cabinet level position of Director of Drug Control Policy to coordinate Federal anti-drug efforts; provides for the imposition of the death penalty, with certain exceptions, upon individuals convicted of (1) engaging in a continuing criminal drug enterprise and intentionally killing or participating substantially in the killing of any person, and (2) killing a law enforcement officer during the course of committing, or in furtherance of, a drug felony; permits the Justice Department to assess civil penalties of up to $10,000 for possession of personal use amounts of marijuana, cocaine, and other illegal drugs; gives the courts discretion to deny Federal benefits (such as mortgage guarantees, Social Security, Medicare, etc.) to individuals convicted of drug distribution or use offenses and provides for waivers in certain circumstances; requires mandatory drug and alcohol testing programs for certain workers employed by airlines, the FAA, railroads, trucking and bus companies, certain mass transit systems, workers in safety-sensitive jobs at NRC-licensed nuclear facilities and DOE nuclear programs, and all persons on probation or supervised release after Federal convictions for felonies or drug-related misdemeanors; makes corruption of Federal, State, or local officials in furtherance of drug violations a Federal offense; includes several anti-money laundering provisions; requires that passports of individuals convicted of drug trafficking or money laundering offenses be revoked for up to 10 years with no waiver; bans the manufacture, import, sale, and possession of firearms that do not meet certain detectability standards by walk-through metal detectors or airport X-ray machines; increases the authorizations and reauthorizes various criminal justice assistance programs and authorizes increased funding for various Federal drug-related law enforcement programs; prohibits the awarding of any Federal grant or contract to businesses that do not maintain a drug-free workplace; authorizes or reauthorizes a number of programs aimed at drug abuse education and prevention; authorizes assistance to foreign police forces for anti-drug training, and funds for aircraft for foreign nations to use in anti-drug efforts; strengthens Federal statutes relating to child pornography and adult obscenity; and authorizes $125 million to assist States in establishing drunk driving enforcement programs.

NOTE: The Senate agreed to the conference report by voice vote on October 21, 1988.

Bill passed. Yeas 87 (49D–38R), Nays 3 (1D–2R), Not Voting 10 (4D–6R). October 14, 1988. -------

Became Public Law 100–690.

MONTANA WILDERNESS (S. 2751)

VOTE NO. 377

Symms amendment stating the sense of the Senate that the President should instruct the Secretaries of State, Treasury, Defense, and Commerce to consult immediately with allied governments on the impact on Western security of various types of private and public sector credit flows and debt reschedulings to the Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, and Nicaragua; and calls for a multilateral voluntary initiative, supervised by the Office for Economic Cooperation and Development, to end untied general purpose lending to these countries

MONTANA WILDERNESS—Continued

for reasons both of national security and prudent commercial banking.

Amendment agreed to. Yeas 64 (37D-27R), Nays 2 (2D), Not Voting 34 (15D-19R). October 18, 1988. -------

VOTE NO. 378

Pell motion to table the McCain modified amendment (as amended by the Harkin perfecting amendment No. 3719, to recognize the people of Chile for the clear expression of their desire for the restoration of democratic processes and procedures in Chile) stating the sense of the Senate that: the Senate condemns the continued suppression of human rights and blatant violations of the Esquipulas II Accord by the Sandinistas and calls upon all who seek both peace and freedom in Central America to join in that condemnation; the U.S. should respond to these violations by continuing efforts to strengthen the internal democratic opposition and the independent media in Nicaragua and by reaffirming its support of humanitarian assistance to the Contras; the Sandinista regime and the Nicaraguan people should understand that the U.S. economic embargo could be lifted if the Sandinistas comply with their commitments to democratize; and the Sandinista regime should understand that continued violations of the Esquipulas II Accord will very likely cause the Congress to approve additional military assistance to the Contras.

NOTE: Subsequently, the amendment was agreed to by voice vote and the bill, as further amended, was passed by voice vote. President Reagan pocket vetoed the measure, stating that it would disrupt the balance of the National Forest System Land and Resource Management Plans for Montana; injure the economy of Montana, cost jobs, eliminate mineral development opportunities, reduce the flexibility of the Federal government to manage the Nation's natural heritage; and increase the Federal deficit by exchanging revenue-producing Federal land for nonrevenue-producing land.

Motion to table failed. Yeas 12 (11D-1R), Nays 54 (29D-25R), Not Voting 34 (14D-20R). October 18, 1988. -------

Pocket vetoed.

VETERANS' BENEFITS (H.R. 4741)

VOTE NO. 379

Murkowski motion to table the Daschle, et al., amendment to implement a four-year test period beginning September 30, 1989, to permit the use of the GI bill for commercial flight training and to require the Administrator of the Veterans' Administration to conduct and report to Congress by January 31, 1993, an evaluation of paying educational assistance for flight training.

NOTE: Subsequently, the amendment was agreed to by voice vote; H.R. 4741 was then passed by voice vote after the text of S. 2011, as amended, was inserted. Provisions are included in S. 11 which became Public Law 100-687.

Motion to table failed. Yeas 15 (1D-14R), Nays 47 (34D-13R), Not Voting 38 (19D-19R). October 18, 1988. -------

SUBJECT INDEX

A

Subject — Vote Nos.

ABORTION
- Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) 8, 9, 12
- D.C. Appropriations, 1989 (H.R. 4776, P.L. 100-462) 232, 233, 348
- Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) 266, 267, 268, 326, 327
- Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) 352, 359
  - D.C. REVENUE FUNDING 232, 233, 348, 359
  - FEDERALLY FUNDED ABORTION FOR RAPE/INCEST 267, 268, 326, 327
  - PROVIDERS 8, 9
  - SCHOOL-BASED CLINICS 266
  - TAX-EXEMPT STATUS DENIAL 352

ACID RAIN
- High Risk Occupational Disease Notification (S. 79) 71

AEGIS
- DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463) 295

AFGHANISTAN
- Afghanistan Resolution (S. Res. 386) 32
- Defense Authorization, 1989 (H.R. 4264, Vetoed) 141

AFGHANISTAN RESOLUTION (S. RES. 386)
- Adoption. (77-0) 32

AGRICULTURE
- Agriculture Appropriations, 1989 (H.R. 4784, P.L. 100-460) 277, 278
- Drought Assistance (H.R. 5015, P.L. 100-387) 272, 273, 297
- Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) 229
- Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) 365

AGRICULTURE APPROPRIATIONS, 1989 (H.R. 4784, P.L. 100-460)
- Byrd motion: Sergeant at Arms to request attendance. (68-20) 275
- DeConcini, et al, amendment: Increases funding by $30.8 million for special supplemental food program for women, infants, and children (WIC) offset by reducing each individual appropriation item in bill by 0.7 percent except for mandatory programs. (87-4) 276
- Leahy motion to table Bumpers, et al., amendment: Bases trust fund assessments of Farm Credit System member institutions on percentage of bonds actually issued by Financial Assistance Corporation rather than on Corporation's total unused bond-issuing authority. (43-45) 277
- Passage. (74-8) 278
- Adoption of conference report. (90-4) 345

AIDS
- AIDS Information and Research (S. 1220) 111, 112, 113, 115, 117, 118, 119, 120
- High Risk Occupational Disease Notification (S. 79) 75, 78
- Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) 262, 263, 264, 265, 267, 269
  - DRUG ADDICTS WITH AIDS (CLEAN NEEDLES) 111, 112, 113
  - EDUCATION AND INFORMATION MATERIALS/HOMOSEXUALITY 117, 118, 119, 262, 263, 264, 267, 269
  - HEALTH CARE WORKERS EXPOSURE 75, 78
  - SPOUSAL NOTIFICATION 264, 265
  - TESTING OF FELONS 115

AIDS INFORMATION AND RESEARCH (S. 1220)
- Helms amendment: Prohibits use of funds to provide hypodermic needles and syringes, thereby prohibiting funding for intravenous blood testing, vaccine testing, and intravenous administration of antibiotics and chemotherapy. (19-66) 111
- Helms amendment: Prohibits use of funds to provide hypodermic needles or syringes to drug addicts, thereby prohibiting intravenous home health care from being provided to AIDS patients who are drug addicts. (37-59) 112

Subject Vote Nos.

AIDS INFORMATION AND RESEARCH (S. 1220)—Continued
  Kennedy-Hatch amendment (as substitute for Hatch-Dole amendment): Prohibits use of funds to provide hypodermic needles or syringes to individuals for use in administering illegal drugs, unless Surgeon General determines that demonstration needle exchange program would be effective in reducing drug abuse and risk of public infection with AIDS. (70-27) 113
  Kennedy, et al., amendment (as substitute for Armstrong amendment): Requires Congressional Biomedical Ethics Board to report to Congress on ethical issues connected with administration of nutrition and hydration to dying patients. (60-36) 114
  Nickles amendment: Requires routine, confidential AIDS testing of individuals convicted of felonious intravenous drug or sexual offenses. (97-0) 115
  Kennedy motion to table Helms amendment (as substitute for Nickles amendment)—Vote No. 118. (22-73) 117
  Helms amendment (as substitute for Nickles amendment): Prohibits use of funds to provide educational, informational, or risk reduction materials or activities to promote or encourage homosexual activity; requires such materials to emphasize abstinence from illegal intravenous drug use and from sexual activity outside a sexually monogamous marriage (including abstinence from homosexual activities); and requires Federally-funded AIDS information and education materials to provide warnings that homosexual and bisexual activities, multiple sex partners, and intravenous drug use are high risk activities for becoming infected with AIDS. (71-18) 118
  Helms motion to table Kennedy-Hatch modified amendment (as substitute for Kennedy amendment): Requires education programs funded by Act to stress public health benefits of abstinence and single monogamous relationship and avoidance of illegal intravenous drug use. (29-61) 119
  Passage. (87-4) 120

ANTI-DRUG SUMMIT (S. RES. 442)
  Adoption. (94-0) 199

APPROPRIATIONS, 1988
  Supplemental Appropriations, 1988 (H.R. 5026, P.L. 100-393) 291, 292, 304

APPROPRIATIONS, 1989
  Agriculture Appropriations, 1989 (H.R. 4784, P.L. 100-460) 276, 277, 278, 345
  Commerce-State-Justice Appropriations, 1989 (H.R. 4782, P.L. 100-459) 258, 260, 261, 338
  D.C. Appropriations, 1989 (H.R. 4776, P.L. 100-462)... 232, 233, 234, 235, 236, 237, 348
  DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463)... 295, 296, 305, 306, 307, 308, 346, 347
  DOT Appropriations, 1989 (H.R. 4794, P.L. 100-457) 243
  Energy-Water Appropriations, 1989 (H.R. 4567, P.L. 100-371) 179, 180, 181, 226
  Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) 228, 229, 230, 231, 342, 343
  HUD Appropriations, 1989 (H.R. 4800, P.L. 100-404)... 244, 245, 246, 247, 301
  Interior Appropriations, 1989 (H.R. 4867, P.L. 100-446)... 248, 249, 250
  Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436)... 254, 255, 262, 263, 264, 265, 266, 267, 268, 269, 270, 326, 327
  Legislative Appropriations, 1989 (H.R. 4587, P.L. 100-458) 177, 178
  Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) 182, 183, 184
  Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) 204, 206, 207

ARMS CONTROL
  Defense Authorization, 1989 (H.R. 4264, Vetoed) 129
  DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463) 346
  INF Treaty (Treaty Doc. No. 100-11)... 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166
  Soviet ABM Treaty Violations (S. Res. 474) 331
    ABM TREATY/SALT COMPLIANCE 129, 346
    HELSINKI ACCORDS VIOLATIONS 162
    INF TREATY INTERPRETATION 158, 160, 163, 164
    INTERIM RESTRAINT 129, 346
    NATO AMMUNITION STOCKPILE 151
    NON—NUCLEAR GLCM'S 156
    SOVIET SIGNATORY 145

Subject Vote Nos.

SOVIET TREATY VIOLATIONS... 146, 147, 148, 149, 150, 331, 346
START NEGOTIATIONS.......... 154, 159, 161, 165
TREATY WITHDRAWAL.......... 155, 161
VERIFICATION/FUTURISTICS.......... 152, 155, 157

B

BAHAMAS ANTI-DRUG EFFORT CERTIFICATION (S.J. RES. 292, REJECTED)
Passage (rejected). (40–53).......... 96

BANKING
Banking—Glass-Steagall (S. 1886).......... 82
Bicentennial Coin/FSLIC Moratorium (H.R. 3251, P.L. 100-378).......... 185, 186
Plant Closing Notification (S. 2527, P.L. 100-379).......... 210

BANKING—GLASS-STEAGALL (S. 1886)
Passage. (94-2).......... 82

BERING SEA FISHING (S. RES. 396)
Adoption. (78-0).......... 64

BERNE COPYRIGHT CONVENTION IMPLEMENTATION (H.R. 4262, P.L. 100-568)
Passage. (90-0).......... 350

BICENTENNIAL COIN/FSLIC MORATORIUM (H.R. 3251, P.L. 100-378)
Proxmire motion to table Graham perfecting amendment (to Proxmire amendment): Permits FSLIC to establish criteria for measuring degree to which any insured institution poses risk to FSLIC's reserves and to assess an additional premium. (80-15).......... 185
Passage. (96-0).......... 186

BIOTECHNOLOGY COMPETITIVENESS (S. 1966)
Passage. (88-1).......... 190

BRADY, NICHOLAS F.
Nomination of Nicholas F. Brady to be Secretary of Treasury.......... 328

BUDGET
First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed).......... 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 167
Japanese-American Internment (H.R. 442, P.L. 100-383).......... 103
Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647).......... 353, 354, 363
ANTIDRUG RESERVE FUND.......... 92, 353, 354, 363
CAPITAL GAINS INDEXING.......... 94
HEALTH INCREASE/SUPER COLLIDER CUT.......... 93
OFF-BUDGET ITEMS.......... 86, 87, 88, 89, 90
PRISON CONSTRUCTION/DRUG ENFORCEMENT.......... 91

BUDGET BALANCED
Constitutional Amendment on Campaign Contributions (S.J. Res. 282).......... 106

BURNS, WILLIAM F.
Nomination of William F. Burns to be Director of ACDA.......... 45

C

CAMPAIGN CONTRIBUTIONS
Constitutional Amendment on Campaign Contributions (S.J. Res. 282).......... 106, 107, 108

CAMPAIGN FINANCING REFORM (S. 2)
Byrd motion: Sergeant at Arms to request attendance. (71-18).......... 19
Byrd motion: Sergeant at Arms to request attendance. (57-17).......... 20
Byrd motion: Sergeant at Arms to request attendance. (57-21).......... 21
Byrd motion: Sergeant at Arms to request attendance. (47-1).......... 22
Byrd motion: Sergeant at Arms to arrest absent Senators and bring them to Chamber. (45-3).......... 23
Byrd motion: Sergeant at Arms to request attendance. (51-9).......... 24
Byrd motion: Sergeant at Arms to request attendance. (55-36).......... 26
Byrd motion: Sergeant at Arms to request attendance. (51-42).......... 27
Byrd motion: Sergeant at Arms to request attendance. (51-41).......... 28

Subject — Vote Nos.

CAMPAIGN FINANCING REFORM (S. 2)—Continued
Byrd motion to table Specter motion to reconsider Vote No. 23. (47-45) ... 29
Adams, et al., eighth cloture motion on committee substitute for bill. (53-41) ... 30

CANADA-U.S. FREE TRADE AGREEMENT (H.R. 5090, P.L. 100-449)
Passage. (83-9) ... 332

CAVAZOS, LAURO F.
Nomination of Lauro F. Cavazos to be Secretary of Education ... 333

CENTRAL AMERICA
Central American Economic Development (S. Con. Res. 63) ... 294
Contra Aid (H.J. Res. 523, P.L. 100-276) ... 83
Contra Aid (S.J. Res. 243) ... 18
Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 131, 143, 144
DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463) ... 305
Interior Appropriations, 1989 (H.R. 4867, P.L. 100-446) ... 248
Montana Wilderness—Untied Loans/Contra Aid (S. 2751, Pocket Vetoed) ... 378
Panama—Economic Sanctions (S. Res. 403) ... 84
Panamanian Democracy (S. Con. Res. 108) ... 74
Supplemental Appropriations, 1988 (H.R. 5026, P.L. 100-393) ... 304
COMBAT TROOP PROHIBITION ... 131
CONTRA AID ... 18, 83, 248, 304, 305, 378
HONDURAS ... 131
PANAMA ... 74, 84, 143, 144

CENTRAL AMERICAN ECONOMIC DEVELOPMENT (S. CON. RES. 63)
Adoption. (92-3) ... 294

CHILD PORNOGRAPHY
Parental Leave (S. 2488) ... 339

CHINA
Commerce-State-Justice Appropriations, 1989 (H.R. 4782, P.L. 100-459) ... 258

CIVIL RIGHTS
Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 4, 5, 7, 10, 11, 12, 67
Drug Abuse (H.R. 5210, P.L. 100-690) ... 369
Fair Housing (H.R. 1158, P.L. 100-430) ... 279, 281, 282, 283
FAIR HOUSING ... 279, 281, 282, 283
HANDICAPPED ... 11, 279, 281, 282
RACIAL DISCRIMINATION/DEATH PENALTY ... 369
RELIGIOUS EXEMPTION TO TITLE IX ... 4, 5, 7, 10
VETO OVERRIDE ... 67

CIVIL RIGHTS RESTORATION—GROVE CITY (S. 557, VETOED, BECAME P.L. 100-259, WITHOUT APPROVAL)
Hollings motion to table Symms amendment (taking with it Nickles perfecting amendment): Repeals provision which prohibits FCC from granting waiver to rule forbidding ownership of both newspaper and television station in same community. (60-30) ... 3
Hatch-Thurmond amendment: Prohibits application of Act to any part of religious entity that does not receive Federal financial assistance. (36-56) ... 4
Thurmond amendment: Limits application of Act to only specific educational institution which receives Federal assistance within school system. (16-70) ... 5
Byrd motion: Sergeant at Arms to request attendance. (75-15) ... 6
Hatch amendment: Expands exemption to Title IX of Education Amendments of 1972 for educational institutions controlled by religious organization to also exempt any institution which is closely identified with tenets of religious organization. (39-56) ... 7
Weicker-Kennedy-Packwood-Metzenbaum amendment: States that no provision of Act shall be construed to force any individual or hospital receiving Federal funds to perform or pay for abortion. (55-40) ... 8

Danforth amendment: Amends Title IX of Education Amendments of 1972 by adding that nothing in Title shall be construed to require or prohibit any person, or entity, to provide or pay for any benefit or service, including use of facilities, related to abortion or to permit penalty to be imposed on any person or individual because he/she is seeking or has received any benefit or service related to legal abortion. (56-39) 9

Hatch substitute amendment: Provides institution-wide coverage of civil rights law in education area only; excludes from institution-wide coverage other services provided to elderly, handicapped, and minorities; expands religious school exemptions to those schools identified with tenets of particular religious organization; and limits application of Act to only specific educational institution which receives Federal assistance within school system. (19-75) 10

Humphrey amendment: Exempts "small providers" from having to make structural alterations for purpose of accessibility by handicapped, rather than exempting them from making "significant" structural alterations. (13-79) 11

Passage. (75-14) 12

Reconsideration of vetoed bill. (73-24) 67

CLOTURE AGREED TO

Death Penalty/Drug-Related Killings (S. 2455) 172

Intelligence Oversight (S. 1721) 49

Parental Leave (S. 2488) 349

Plant Closing Notification (S. 2527, P.L. 100-379) 222

Polygraph Protection (H.R. 1212, P.L. 100-247) 42

Textile, Apparel, and Footwear Trade (S. 2662) 314

CLOTURE REJECTED

Campaign Financing Reform (S. 2) 30

Constitutional Amendment on Campaign Contributions (S.J. Res. 282) 107, 108

Great Smoky Mountains Wilderness (H.R. 1495) 192, 195

High Risk Occupational Disease Notification (S. 79) 68, 69, 77, 79

Immigration Amnesty Extension (H.R. 4222) 116

Minimum Wage (S. 837) 335, 336

Parental Leave (S. 2488) 355

Plant Closing Notification (S. 2527, P.L. 100-379) 221

COMMERCE-STATE-JUSTICE APPROPRIATIONS, 1989 (H.R. 4782, P.L. 100-459)

Dole amendment: States sense of Senate that China should halt sale of ballistic missiles to Middle East and Persian Gulf nations and endorse U.N.-sponsored international arms embargo against Iran and Iraq. (97-0) 258

Byrd motion: Sergeant at Arms to request attendance. (68-29) 259

Gramm-Cochran-Nickles: Increases funding for Drug Enforcement Administration by $58.55 million, offset by reduction for Legal Services Corporation. (28-66) 260

Passage. (80-16) 261

Adoption of conference report. (77-13) 338

COMMITTEE FUNDING (S. RES. 381)

Adoption. (84-8) 31

CONGRESS

Lobbying—"Revolving Door" (S. 237) 98, 99, 100

CONSTITUTIONAL AMENDMENT ON CAMPAIGN CONTRIBUTIONS (S.J. RES. 282)

Gramm motion to table Gramm motion to recommit resolution to Committee, with instructions, and with substitute amendment containing provisions of Gramm substitute amendment: Proposes Constitutional amendment to require Congress to adopt balanced budget prior to each fiscal year, unless both Houses pass, by three-fifths vote, legislation permitting outlays to exceed receipts; limits rate of total receipts increase for any fiscal year to rate of GNP increase in prior year, unless Congress, by majority vote, enacts bill directly providing for increase; allows Congress to waive provisions in fiscal year in which declaration of war is in effect; makes permanent public debt limit that exists on date of ratification which shall only be increased thereafter by three-fifths vote of both Houses; and makes article effective for second fiscal year beginning after ratification. (5-90) 106

Hollings, et al., cloture motion on Hollings perfecting amendment (to Gramm motion to recommit joint resolution to Committee, with instructions) which contains provisions of resolution. (52-42) 107

CONSTITUTIONAL AMENDMENT ON CAMPAIGN CONTRIBUTIONS (S.J. RES. 282)—Continued
Hollings, et al., second cloture motion on Hollings perfecting amendment (to Gramm motion to recommit joint resolution to Committee, with instructions) which contains provisions of resolution. (53-37) ... 108

CONTRA AID (H.J. RES. 523, P.L. 100-276)
Passage. (87-7) ... 83

CONTRA AID (S.J. RES. 243)
Byrd motion to proceed to bill. (54-43) ... 17
Passage. (51-48) ... 18

COOPER, HENRY F.
Nomination of Henry F. Cooper to be Ambassador as U.S. Negotiator for Defense and Space Arms ... 205

CORPORATE TAKEOVERS (S. 1323)
Byrd motion to bring up bill. (79-12) ... 187
Division I-A of Armstrong-Metzenbaum-Shelby-Gramm amendment: Prohibits golden parachutes unless approved in advance by shareholders. (98-1) ... 193
Proxmire motion to table Division I-B of Armstrong-Metzenbaum-Shelby-Gramm amendment: Prohibits "poison pills" (special preferred stock issue which is triggered upon takeover that has effect of diluting ownership of all other stock) unless approved by shareholders. (40-57) ... 194

COURT STRIPPING
Fair Housing (H.R. 1158, P.L. 100-430) ... 280

COVERT ACTIVITIES
Intelligence Oversight (S. 1721) ... 44, 51, 52

CRIME (See also DRUGS)
Death Penalty/Drug-Related Killings (S. 2455) ... 171, 174, 175
Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 142
Drug Abuse (H.R. 5210, P.L. 100-690) ... 368, 369, 370, 375
First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 91
Polygraph Protection (H.R. 1212, P.L. 100-247) ... 173
DEATH PENALTY ... 142, 171, 174, 175, 368, 369, 370
LIE DETECTOR USAGE ... 173
PLASTIC GUNS ... 375
PRISON CONSTRUCTION ... 91

CROSS OWNERSHIP
Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 3

D

D.C.
D.C. Appropriations, 1989 (H.R. 4776, P.L. 100-462)... 232, 233, 234, 235, 236, 237, 348
Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 359

D.C. APPROPRIATIONS, 1989 (H.R. 4776, P.L. 100-462)
Harkin motion to table Exon amendment (to Committee amendment): Prohibits Federal or D.C. funds from being used to perform abortions except in cases of rape, incest, ectopic pregnancy, and where life of mother would be endangered if fetus were carried to term. (49-37) ... 232
Harkin motion to table Humphrey amendment: Prohibits Federal or D.C. funds from being used to perform abortions except where life of mother would be endangered if fetus were carried to term. (51-34) ... 233
Chair ruling that Armstrong amendment (which allows educational institutions in D.C. affiliated with religious organization to deny, restrict, abridge, or condition use of any fund, service, facility, or benefit, or granting of any endorsement, approval, or recognition to any organization for, engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief) is not legislation on appropriation and is in order. (43-40) ... 234
Byrd motion to reconsider Vote No. 234. (42-41) ... 235

Subject — Vote Nos.

Armstrong amendment: Prohibits expenditure of funds under this Act after December 31, 1988, if D.C. government has not enacted law allowing educational institutions in D.C. affiliated with religious organization to deny, restrict, abridge, or condition (a) use of any fund, service, facility, or benefit, or (b) granting of any endorsement, approval, or recognition to any organization for, or engaged in promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief. (58-33) ... 236
Passage. (64-29) ... 237
Nickles motion to table Bradley motion to disagree to House amendment: Prohibits District of Columbia (as well as Federal) funds from being used to perform abortions except where life of mother would be endangered if fetus were carried to term. (45-44) ... 348

DEATH PENALTY
Death Penalty/Drug-Related Killings (S. 2455) ... 171, 174, 175
Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 142
Drug Abuse (H.R. 5210, P.L. 100-690) ... 368, 369, 370

DEATH PENALTY/DRUG-RELATED KILLINGS (S. 2455)
D'Amato motion to table the Levin-Evans-Danforth modified amendment (as substitute for bill): Requires mandatory life sentence without possibility of release for drug-related murder of law enforcement officer or other innocent person (in lieu of death penalty). (65-31) ... 171
Dole, et al., cloture motion on bill. (70-26) ... 172
D'Amato motion to table Simon amendment: Restricts use of death penalty to drug-related killing of law enforcement officer. (66-28) ... 174
Passage. (65-29) ... 175

DEFENSE AUTHORIZATION, 1989 (H.R. 4264, VETOED)
Dixon amendment: Retains current law requiring in-State purchase of alcoholic beverages for resale on military installations. (53-29) ... 121
Dixon, et al., modified perfecting amendment (to Dixon modified amendment, as amended): Modifies provisions creating Commission on Base Realignment and Closure. (83-13) ... 122
Nunn motion to table Wilson, et al., amendment: Requires any military department which constructs family housing project after October 1, 1988, to provide Federal financial assistance to affected public school districts which can show substantial increase in student enrollment. (59-33) ... 123
Exon motion to table Proxmire perfecting amendment (to Johnston, et al., amendment—Vote No. 125): Reduces by $700 million funding for SDI. (66-29) ... 124
Exon motion to table Johnston, et al., amendment: Earmarks $700 million of SDI funding to reimburse NASA for DOD's share of cost of space shuttle and station. (50-46) ... 125
Warner motion to table Exon motion to reconsider Vote No. 125. (47-50) ... 126
Byrd motion: Sergeant at Arms to request attendance. (72-23) ... 127
Exon motion to reconsider Vote No. 125. (48-50) ... 128
Nunn motion to table Bumpers, et al., amendment: Prohibits funds to overhaul, maintain, operate, or deploy any MIRVed strategic nuclear weapons launcher or platform that would cause U.S. to exceed numbers of MIRVed ICBMs, MIRVed ballistic missiles, and MIRVed strategic systems as of January 25, 1988; allows waiver if U.S. and Soviet Union have agreed to new strategic arms agreement or Soviet Union has exceeded its level. (51-45) ... 129
Reid motion to table Hatfield-Kennedy-Mitchell modified amendment: Imposes mutual, conditional, two-year moratorium on underground nuclear explosions with yield greater than five kilotons each. (57-39) ... 130
McCain motion to table Kennedy, et al., amendment: Prohibits introduction of U.S. troops into Honduras or Nicaragua for combat unless Congress has declared war or authorized their presence, or President has determined that they are necessary to protect or evacuate American citizens, or to respond to military attack. (60-37) ... 131
Gramm motion to table Heinz, et al., amendment: Strikes section permitting DOD to waive Buy America provisions for any item if cost of procurement abroad is 10 percent less than domestic cost and DOD determines that country that produces item does not impose limitations on procurement of U.S.-produced goods for its armed forces; and strikes section repealing current law requiring DOD to purchase 300,000 short tons of anthracite coal. (32-64) ... 132

Subject — Vote Nos.

DEFENSE AUTHORIZATION, 1989 (H.R. 4264, VETOED)—Continued
- Exon motion to table Simon-Levin amendment: Reduces funding for MX rail-garrison program by $500 million and increases funding for conventional forces. (61-36) ... 133
- McCain motion to table Adams amendment: Prohibits use of funds to escort or convoy commercial vessels under U.S. flag but formerly owned by Kuwait or Kuwaiti nationals, or to defend commercial vessels in Persian Gulf registered under other nations' flags if Congress enacts joint resolution of disapproval within 15 days of submission by President of plan outlining presence of U.S. Armed Forces in Persian Gulf; provides that, if joint disapproval resolution is not enacted, plan shall be deemed approved by Congress and funds for Persian Gulf activities may be appropriated only in accordance with plan; and prohibits funds for U.S. Armed Forces in Persian Gulf in any future year unless Congress specifically appropriates funds for that purpose. (82-13) ... 134
- Cohen motion to table Kennedy-Levin-Nunn amendment: Requires Navy to maintain current level of 14 deployable aircraft carriers by directing that two aircraft carriers be decommissioned 30 days after USS Abraham Lincoln and USS George Washington are commissioned. (56-37) ... 135
- Exon motion to table Wallop, et al., amendment: Earmarks $100 million of amount authorized for SDI for deploying accidental launch protection system (ALPS). (56-37) ... 136
- Exon motion to table Levin-Johnston-Dixon amendment: Reduces funding for SDI program from $4.6 billion to $4.0 billion and increases funding for conventional defense programs. (51-43) ... 137
- Heinz motion to table Gramm amendment: Reinstates Buy American waiver provisions struck by Vote No. 132. (53-37) ... 138
- Wilson-Nunn-Warner, et al., amendment: Provides for drug enforcement assistance by military in form of aerial detection, law enforcement authority to make arrests, and $60 million authorization for National Guard for drug interdiction efforts. (83-6) ... 139
- Stennis motion to table Johnston-Breaux amendment: Prohibits Secretary of Navy from limiting competition for building DDG-51 Aegis-class destroyer to two shipyard contractors to which competition is limited for three ships currently being built unless limitation will result in lower total program costs or is necessary to meet Naval cost, schedule, or performance requirements; and precludes Secretary from certifying reason for limiting competition until after receipt of all bids. (63-24) ... 140
- Dixon motion to table Helms amendment: Prohibits funds for implementing U.S.-USSR Afghan agreement. (63-30) ... 141
- Levin motion to table D'Amato, et al., amendment: Permits death penalty to be imposed on any person engaging in or working to further continuing criminal enterprise who intentionally kills or participates substantially in killing of individual. (27-68) ... 142
- Helms modified amendment: Prohibits aid to Panamanian Defense Force unless President certifies that no Soviet, Cuban, or Nicaraguan armed forces are in Panama and that General Manuel Noriega has been removed from office. (95-0) ... 143
- Dole, et al., amendment: States sense of Senate that U.S. government should not conduct negotiations or make arrangements with General Noriega which would drop drug-related indictments. (86-10) ... 144
- Quayle motion to recommit conference report with instructions. (35-58) ... 251
- Adoption of conference report. (64-30) ... 252

DEFENSE AUTHORIZATION, 1989 (H.R. 4481, P.L. 100-456)
- Adoption of conference report. (91-4) ... 340

DEPARTMENT OF VETERANS AFFAIRS (H.R. 3471, P.L. 100-527)
- Glenn motion to table Murkowski-Thurmond, et al., amendment: Permits President to appoint Secretary of Veterans Affairs but makes establishment of new Department effective January 21, 1989. (52-43) ... 240
- Cranston motion to table Simpson amendment: Adds provisions authorizing judicial review of VA regulations and claims decisions (as passed by Senate—Vote No. 239). (83-11) ... 241
- Passage. (84-11) ... 242

DOD APPROPRIATIONS, 1989 (H.R. 4781, P.L. 100-463)
- Byrd motion to proceed to consideration of bill. (93-0) ... 293
- Johnston motion to table Bradley, et al., amendment: Strikes prohibition on sale of AEGIS weapon system to Japan for integration into naval ships unless ship is U.S.-made. (20-75) ... 295

Subject	Vote Nos.
Johnston motion to table Wallop amendment: Increases funding for SDI R&D by transferring additional $500 million from account for NASA defense-related activities. (50-44)	296
Byrd motion: Sergeant at Arms to request attendance. (72-22)	303
Byrd-Dodd-Boren, et al., amendment (to Byrd amendment): Provides $27 million in humanitarian aid for Contras and $5 million in medical assistance for civilian victims; requires hunanitarian aid to be disbursed only by AID, OAS, or another nongovernmental organization; permits President to request release of $16.5 million of previously-appropriated lethal aid after consulting with four democratic presidents in region; and expedites consideration of such request. (49-47)	305
Nunn-Warner-Johnston amendment: Incorporates into bill by reference provisions of DOD authorization bill as passed by Senate. (90-2)	306
Johnston motion to table McCain-Glenn, et al., modified amendment (as substitute for Johnston-Nunn-Warner, et al., amendment): Strikes provisions in underlying amendment which cap U.S. military dependents overseas at 1987 level, and requires 10 percent reduction in dependents overseas by October 1, 1991. (36-59)	307
Passage. (90-4)	308
Johnston motion to table Helms, et al., amendment (to House amendment to Senate amendment): Prohibits funds to dismantle Poseidon submarines unless President has certified to Congress that USSR has dismantled Krasnoyarsk radar. (66-25)	346
Johnston motion to table Nunn perfecting amendment (to Nunn, et al., substitute amendment for Senate amendment): Strikes earmarking for nine university research projects. (35-53)	347
DOT APPROPRIATIONS, 1989 (H.R. 4794, P.L. 100-457)	
Passage. (91-6)	243
DROUGHT ASSISTANCE (H.R. 5015, P.L. 100-387)	
Karnes modified amendment: States sense of Senate that Congress should act before adjouning to exempt diesel fuel used for farming and fishing from Federal excise tax and to repeal application of accounting capitalization rules to farm animals ("heifer tax"). (94-0)	272
Passage. (94-0)	273
Adoption of conference report. (92-0)	297
DRUG ABUSE (H.R. 5210, P.L. 100-690)	
Hatfield-Evans-Levin-Chafee amendment: Strikes death penalty and 20-year minimum sentence for drug-related killings and substitutes therefor mandatory life sentence without possibility of parole. (25-64)	368
Kennedy amendment: Prohibits death sentence if that sentence furthers racially disproportionate pattern. (35-52)	369
D'Amato motion to table Simon amendment: Makes death penalty applicable only for drug-related killing of police officer or innocent bystander. (72-16)	370
Domenici, et al., amendment: Permits Attorney General, as alternative to criminal prosecution, to impose $10,000 civil penalty for possession of controlled substance. (88-0)	371
Gramm-Domenici amendment: Allows courts to deny Federal benefits, including means-tested benefits, to individuals convicted of drug TRAFFICKING for up to five years for first offense, ten years for second offense, and mandates permanent cutoff for third offense; allows courts to deny non-means-tested Federal benefits to those convicted of drug USE for up to one year for first offense and five years for second offense; provides drug treatment program benefits if convicted addict is in long-term drug treatment program; and states that Federal benefits may NOT be denied for social security, medicare, railroad retirement, veterans' benefits, or other benefits for which payments or services are required for eligibility. (78-11)	372
Wilson, et al., amendment: Requires establishment of four-State pilot program for testing applicants for driver's license for unlawful usage of controlled substance; requires each State to deny driving privileges for one year if tests show illicit drug usage. (77-10)	373
Kerry, et al., amendment: Requires negotiations, with foreign governments in attempt to require foreign banks to keep records of U.S. currency transactions in excess of $10,000, and requires President to impose appropriate penalties and sanctions against countries engaged in money laundering affecting U.S. narcotics trafficking. (85-3)	374
Metzenbaum, et al., amendment: Bans undetectable firearms (plastic guns) manufactured after March 1, 1988. (89-0)	375
Passage. (87-3)	376

Subject Vote Nos.

DRUGS
  AIDS Information and Research (S. 1220) ... 111, 112, 113
  Anti-Drug Summit (S. Res. 442) ... 199
  Bahamas Anti-Drug Effort Certification (S.J. Res. 292, Rejected) ... 96
  Commerce-State-Justice Appropriations, 1989 (H.R. 4782, P.L. 100-459) ... 260
  Death Penalty/Drug-Related Killings (S. 2455) ... 171, 174, 175
  Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 139, 142
  Drug Abuse (H.R. 5210, P.L. 100-690) ... 368, 369, 370, 371, 372, 373, 374
  First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 91, 92
  Mexico Anti-Drug Effort Certification (S.J. Res. 268) ... 97
  Polygraph Protection (H.R. 1212, P.L. 100-247) ... 35
  Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 353, 354, 363
    CIVIL PENALTY FOR POSSESSION ... 371
    CLEAN NEEDLE PROGRAM ... 111, 112, 113
    DEATH PENALTY FOR DRUG KILLINGS ... 142, 171, 174, 175, 368, 369, 370
    DRIVERS LICENSE PILOT PROGRAM ... 373
    DRUG INTERDICTION BY MILITARY ... 139
    DRUG MONEY LAUNDERING ... 374
    DRUG PROGRAM FUNDING ... 91, 92, 260, 353, 354, 363
    DRUG TRAFFICKING ... 96, 97, 199, 374
    DRUG USAGE TESTING ... 35, 373
    FEDERAL BENEFITS DENIAL ... 372

E

ECONOMIC SUMMIT
  Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) ... 183

EDUCATION
  Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 4, 5, 7, 10, 67
  Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 123
  Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) ... 266
    IMPACT AID/MILITARY ... 123
    RELIGIOUS EXEMPTION TO TITLE IX ... 4, 5, 7, 10
    SCHOOL-BASED CLINICS ... 266

ELDERLY PERSONS
  AIDS Information and Research (S. 1220) ... 114
  Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) ... 204

ENDANGERED SPECIES (H.R. 1467, P.L. 100-478)
Byrd motion to proceed to bill. (78-0) ... 253
Passage. (93-2) ... 271

ENERGY (See also NUCLEAR ENERGY)
  Interior Appropriations, 1989 (H.R. 4867, P.L. 100-446) ... 249
    OFFSHORE DRILLING ... 249

ENERGY-WATER APPROPRIATIONS, 1989 (H.R. 4567, P.L. 100-371)
Byrd motion to bring up bill. (96-2) ... 179
Chair ruling that Reid-Hecht amendment (which increases appropriation to Nevada for nuclear waste oversight responsibilities) is legislation on appropriation and out of order. (68-29) ... 180
Passage. (92-5) ... 181
Adoption of conference report. (91-3) ... 226

ENVIRONMENT
  Endangered Species (H.R. 1467, P.L. 100-478) ... 271
  High Risk Occupational Disease Notification (S. 79) ... 71
  HUD Appropriations, 1989 (H.R. 4800, P.L. 100-404) ... 245, 246
  Ocean Dumping Reform (S. 2030, P.L. 100-688) ... 300
  Ozone Depleting Substances Protocol (Treaty Doc. 100-10) ... 47
    ACID RAIN ... 71
    ENDANGERED SPECIES ... 271
    OCEAN DUMPING ... 300
    OZONE POLLUTION ... 47
    WATER POLLUTION ... 245, 246

ETHANOL PRODUCTION ENROLLMENT CORRECTIONS (S. CON. RES. 135)

Passage. (62-34) ... 289

EUTHANASIA

AIDS Information and Research (S. 1220) ... 114

F

FAIR HOUSING (H.R. 1158, P.L. 100-430)

Helms amendment (to Kennedy, et al., substitute amendment): Clarifies that transvestites do not qualify for special treatment as "individuals with handicaps." (89-2) ... 279

Helms amendment (to Kennedy, et al., substitute amendment): Prohibits Supreme Court from reviewing school prayer case. (71-20) ... 280

Kennedy motion to table Humphrey amendment (to Kennedy-Specter, et al., substitute amendment): Prohibits provisions which affect design and construction of housing from taking effect if they increase such housing costs. (88-7) ... 281

Kennedy motion to table Humphrey amendment (to Kennedy-Specter, et al., substitute amendment): Limits applicability of provisions regarding handicapped accessibility in multi-unit buildings to 20 percent and requires that at least one unit per development be handicapped-accessible. (84-12) ... 282

Passage. (94-3) ... 283

FAMILY PLANNING

Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) ... 254, 255, 266

FEDERAL COMMUNICATIONS COMMISSION

Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 3

FEDERAL EMPLOYEES PAY EQUITY STUDY

Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 357

FIRST BUDGET RESOLUTION, FY 1989 (H. CON. RES. 268, ACTION COMPLETED)

Byrd motion to proceed to consideration of resolution. (83-0) ... 85

Symms, et al., perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to exclude Social Security, Highway, and Aviation Trust Funds from budget and to balance budget in five years. (85-8) ... 86

Stevens-McClure perfecting amendment (to Chiles, et al., amendment): States sense of Congress that Postal Service should be off budget. (85-8) ... 87

Chiles motion to table Gramm modified perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to take Military Retirement, Civil Service Retirement, and Unemployment Trust Funds off budget and to balance budget in five years. (45-49) ... 88

Chiles motion to table Gramm perfecting amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to require that Federal deficit include current value of unfunded liabilities. (53-43) ... 89

Domenici motion to table Chiles substitute amendment (to Chiles, et al., amendment): States sense of Congress that legislation should be enacted to take Social Security off budget and to balance budget in five years. (70-26) ... 90

Specter, et al., amendment: Increases Administration of Justice Function 750 by $100 million for increased prison construction and General Government Function 800 by $25 million for increased funding for Bureau of Alcohol, Tobacco, and Firearms, offset by decreasing Allowances Function 920. (76-18) ... 91

DeConcini, et al., amendment: Provides for reserve fund for anti-drug initiative which shall not become effective until deficit-neutral legislation has been reported and President and bipartisan leadership in Congress agree that drug threat poses dire emergency. (93-0) ... 92

Chiles motion to table Weicker, et al., modified amendment: Increases funding level for Health Function 550 for such programs as childhood immunization, geriatric training, and community health centers, and makes same reductions in Science, Space, and Technology Function 250, assuming such cuts in super collider program. (57-38) ... 93

Bentsen motion to table Armstrong, et al., amendment: Phases in indexing of basis used in computing capital gains tax by reducing estimated revenues and Community and Regional Development Function 450 funding. (66-29) ... 94

Subject — Vote Nos.

FIRST BUDGET RESOLUTION, FY 1989 (H. CON. RES. 268, ACTION COMPLETED)—Continued
Adoption. (69-26) ... 95
Adoption of conference report. (58-29) ... 167

FOREIGN OPERATIONS APPROPRIATIONS, 1989 (H.R. 4637, P.L. 100-461)
Kennedy, et al., amendment, as amended: Modifies requirement that annual report on voting practices in U.N. be developed in consultation with Congress. (93-0) ... 228
Inouye motion to table Humphrey amendment: Prohibits $71 million for International Bank for Reconstruction and Development (World Bank) unless loan policies are revised to reflect terms that are no more favorable than those available to American farmers. (48-41) ... 229
Inouye motion to table Humphrey amendment: Strikes $931.2 million for U.S. contribution to International Development Association (part of World Bank). (70-19) ... 230
Passage. (76-15) ... 231
Inouye motion to table Symms modified amendment (to House amendment to Senate amendment): Strikes six-year authorization for additional U.S. contributions to World Bank. (57-34) ... 342
Sanford motion to table Metzenbaum-Helms perfecting amendment (to Pell amendment): Prohibits OPIC from insuring, reinsuring, or guaranteeing (1) projects which produce exports to U.S. that directly compete with goods manufactured in U.S. unless project is located in country with annual per capita income of $984 or less; (2) any petroleum producing project or hotel project; and (3) assistance to any financial institution that is not in underdeveloped nation. (72-23) ... 343

G

GREAT SMOKY MOUNTAINS WILDERNESS (H.R. 1495)
Sasser, et al, cloture motion on motion to bring up bill. (49-35) ... 192
Sanford, et al, second cloture motion on motion to bring up bill. (54-42) ... 195

GUN DETECTION
Drug Abuse (H.R. 5210, P.L. 100-690) ... 375

H

HANDICAPPED
Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 11
Fair Housing (H.R. 1158, P.L. 100-430) ... 279, 281, 282, 283

HEALTH HAZARDS
High Risk Occupational Disease Notification (S. 79) ... 75, 78
Price-Anderson Nuclear Indemnification (H.R. 1414, P.L. 100-408) ... 59, 60, 61, 62, 63

HEALTH (See also AIDS)
AIDS Information and Research (S. 1220) ... 111, 112, 113, 114, 115, 117, 118, 119, 120
Biotechnology Competitiveness (S. 1966) ... 190
First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 93
High Risk Occupational Disease Notification (S. 79) ... 75, 78
Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) ... 266
Medicare Catastrophic Illness Coverage (H.R. 2470, P.L. 100-360) ... 170
CLEAN NEEDLE PROGRAM ... 111, 112, 113
HEALTH FUNDING ... 93
SCHOOL-BASED CLINICS ... 266
TERMINALLY ILL TREATMENT ... 114

HELSINKI ACCORDS
Trade and Competitiveness Act (H.R. 4848, P.L. 100-418) ... 286
Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) ... 206

HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION (S. 79)
Graham, et al., cloture motion on committee substitute for bill. (33-59) ... 68
Graham, et al., second cloture motion on committee substitute for bill. (2-93) ... 69

Subject Vote Nos.

Hollings motion to table Danforth-McConnell modified amendment (taking with it McConnell-Danforth amendment): Establishes broad, new standard of Federal tort liability that supercedes State law; alters existing standards for joint and several liability; and imposes new standard for punitive damages. (53-39) 70

Mitchell motion to table Nickles amendment (taking with it Rudman perfecting amendment): Adds provisions of S. 1894, which require reductions in annual emissions of sulfur dioxide and oxides of nitrogen in order to control acid rain. (70-22) 71

Byrd motion: Sergeant at Arms to request attendance. (58-33) 72

Murkowski perfecting amendment (to Nickles amendment): Requires GAO to prepare financial impact statement to accompany conference report on bill. (92-0) 73

Kennedy motion to table Helms amendment (taking with it Kennedy, et al., substitute amendment to require HHS to disseminate information to U.S. health, public safety, and emergency service workers concerning methods to reduce risk of AIDS infection): Requires Risk Assessment Board to designate as at risk those health and emergency care workers who risk occupational exposure to AIDS and to develop notification and medical monitoring or health counseling for these workers. (45-33) 75

Byrd motion: Sergeant at Arms to request attendance. (68-15) 76

Graham, et al., third cloture motion on committee substitute for bill. (41-44) 77

Kennedy motion to table Metzenbaum amendment (taking with it Cranston, et al., second degree amendment): Requires HHS to disseminate information to U.S. health, public safety, and emergency service workers concerning methods to reduce risk of AIDS infection. (0-86) 78

Graham, et al., fourth cloture motion on committee substitute for bill. (42-52) 79

HOBBS ACT

Plant Closing Notification (S. 2527, P.L. 100-379) 203

HOMOSEXUALS

D.C. Appropriations, 1989 (H.R. 4776, P.L. 100-462) 234, 235, 236

Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) 262, 263, 264, 267, 269

HONDURAS

Defense Authorization, 1989 (H.R. 4264, Vetoed) 131

HOUSING

Fair Housing (H.R. 1158, P.L. 100-430) 281, 282, 283

HUD Appropriations, 1989 (H.R. 4800, P.L. 100-404) ... 244, 245, 246, 247, 301

HUD APPROPRIATIONS, 1989 (H.R. 4800, P.L. 100-404)

Heinz, et al., amendment: Increases UDAG funding by $30 million for recaptured total of $80 million, offset by reducing funding for National Aero-Space Plane. (34-63) 244

Moynihan-Lautenberg-Chafee amendment: Increases EPA funding by $275 million for Sewage Treatment Construction Grants, $25 million for Nonpoint Pollution Control Program, and $5 million for Wellhead Protection Program, offset by $150 million reduction for NASA. (32-64) 245

Durenberger-Moynihan amendment: Appropriates $25 million for grants to States for Nonpoint Pollution Control Program and $5 million for Wellhead Protection Program, offset by reductions for EPA salaries and expenses, control, and compliance, and R&D. (63-33) 246

Passage. (86-11) 247

Adoption of conference report. (88-8) 301

HUNGER PREVENTION/TEFAP (S. 2560, P.L. 100-435)

Gramm amendment: Reduces funds for Temporary Emergency Food Assistance Program by an amount equal to value of any surplus commodities donated. (14-81) 256

Passage. (90-7) 257

I

IAEA STATUTE AMENDMENTS (TREATY DOC. NO. 99-7)

Adoption of resolution of ratification. (97-0) 312

ILO CONVENTION NO. 144—INTERNATIONAL LABOR STANDARDS (TREATY DOC. 99-20)

Adoption of resolution of ratification. (81-2) 13

Subject — Vote Nos.

ILO CONVENTION NO. 147—MINIMUM STANDARDS IN MERCHANT SHIPS (TREATY DOC. 99-21)
- Adoption of resolution of ratification. (84–0) ... 14

IMMIGRATION AMNESTY EXTENSION (H.R. 4222)
- Kennedy, et al., cloture motion on motion to bring up bill. (40–56) ... 116

IMMIGRATION PREFERENCES (S. 2104)
- Simpson motion to table Bumpers amendment: Strikes section that awards immigration preference status for up to 5,000 persons who agree to invest $2 million which will create full-time employment for at least 10 citizens or permanent residents. (51–33) ... 48
- Passage. (88–4) ... 50

INF TREATY (TREATY DOC. NO. 100-11)
- Pell-Lugar motion to table Helms point of order that Treaty is not in order because it is not signed by person authorized to bind Soviet State. (91–6) ... 145
- Lugar motion to table Division I of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT I ABM Treaty. (85–11) ... 146
- Lugar motion to table Division II of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating 1963 Limited Nuclear Test Ban Treaty. (87–10) ... 147
- Lugar motion to table Division III of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating Biological and Chemical Weapons Bans. (86–11) ... 148
- Lugar motion to table Division IV of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT I Interim Agreement. (82–15) ... 149
- Lugar motion to table Division V of Symms amendment: Treaty shall not enter into force until President certifies that Soviet Union is no longer violating SALT II. (89–8) ... 150
- Exon motion to table Humphrey amendment: Treaty shall not enter into force until President certifies that stockpile of NATO ammunition and fuel has been increased from seven days to 15 days. (73–8) ... 151
- Pell motion to table Helms amendment: Prohibits exchange of instruments of ratification until President certifies that number of SS-20 missiles possessed by Soviet Union is true. (81–13) ... 152
- Pell motion to table Wallop modified amendment: Neither party may produce any other missile stage which is outwardly similar to, or interchangeable with, any other stage of existing type of intermediate-range ground-based launch cruise missile. (68–26) ... 153
- Pell motion to table Humphrey amendment: Treaty shall not enter into force unless parties have also agreed to strategic nuclear arms reduction agreement. (81–5) ... 154
- Helms amendment: Treaty may be terminated with 15 days notice if either party has provided materially misleading and false data or there has been any material breach of Treaty or its protocols. (9–89) ... 155
- Hollings, et al., amendment: Conditions Senate's agreement to Treaty on agreement of USSR that references in Treaty to ground-launched cruise missiles (GLCMs) be deemed references only to nuclear GLCMs. (28–69) ... 156
- Nunn-Warner-Boren, et al., amendment (as amended by Helms perfecting amendment): Clarifies that both exchange of notes in Geneva and agreed minute signed May 12 between U.S. and USSR and agreements signed on May 21, 1988, regarding Treaty's application to "futuristic" weapons and on-site inspection, shall have same force and effect as Treaty. (96–0) ... 157
- Byrd perfecting amendment (to Committee condition): Provides that Senate's advice and consent to ratification of Treaty is subject to condition that U.S. shall interpret Treaty in accordance with common understanding of Treaty shared by President and Senate at time Senate gave its consent to ratification; and if at later time, question arises of interpretation of Treaty provision on which no common understanding was reached that provision shall be interpreted in accordance with applicable U.S. law. (72–27) ... 158
- Bradley motion to table Helms, et al., amendment: Adds to instruments of ratification that U.S. declares that it intends to continue to negotiate START Treaty with USSR; and U.S. shall not be bound to adhere to any contemplated treaty until verification and Senate approval. (38–60) (See Vote No. 165.) ... 159

Subject — Vote Nos.

Byrd motion to table Wilson, et al., amendment: Provides that Senate's advice and consent to ratification of Treaty is subject to condition that U.S. shall not be bound to any interpretation of Treaty that is not equally binding on Soviet Union under applicable international law. (53-45) ... 160
Pell-Lugar motion to table Wallop, et al., amendment: Requires President to inform Soviet Union, prior to exchanging instruments of ratification, that U.S. will consider any Soviet violation of Treaty as grounds for withdrawing from Treaty. (66-30) ... 161
Pell-Lugar motion to table Pressler amendment: Prohibits exchange of instruments of ratification unless President personally certifies to Senate whether Soviet Union is in full compliance with Helsinki Accords. (86-10) ... 162
Byrd motion to table Specter amendment: Defines term "common understanding" included in Byrd perfecting amendment (Vote No. 158) as "shared interpretation which is both authoritatively communicated to Senate by executive and clearly intended, generally understood, and relied upon by Senate in its advice and consent to ratification." (67-30) ... 163
Byrd motion to table Specter amendment: Adds to resolution of ratification statement that notwithstanding any provision in Byrd Condition (Vote No. 158), there is no Senate intent to change heretofore accepted constitutional law of U.S. on treaty ratification as interpreted by Supreme Court. (64-33) ... 164
Helms, et al., modified amendment: Adds to instruments of ratification that U.S. declares that it intends to continue to negotiate START Treaty with USSR; U.S. shall not be bound to adhere to any comtemplated treaty until ratification and Senate approval, but nothing shall imply that U.S. will take actions to make future treaty impossible. (94-4) ... 165
Adoption of resolution of ratification (93-5) ... 166

INSPECTOR GENERAL ACT AMENDMENTS (S. 908, P.L. 100-504)
Passage. (85-0) ... 15

INTELLIGENCE OVERSIGHT (S. 1721)
Cohen motion to table McClure amendment: Permits President to withhold from Congress details of covert operation if President determines that risk of disclosure would pose additional, direct threat to life of U.S. official or if informing Congress would jeopardize cooperation of other intelligence services critical for success of operation. (65-23) ... 44
Boren, et al., cloture motion on committee substitute for bill. (73-18) ... 49
Cohen motion to table Chafee amendment: Changes from 48 hours to ten days deadline by which President must notify Congress that covert activity is under way. (60-32) ... 51
Passage. (71-19) ... 52

INTERIOR APPROPRIATIONS, 1989 (H.R. 4867, P.L. 100-446)
Byrd, et al., amendment (to Dole, et al., amendment): States sense of Senate condemning recent actions taken by Sandinistas against internal opposition and media and expulsion of American diplomats, and states that violations of human rights in Nicaragua could cause Congress to consider providing additional humanitarian and other appropriate aid, including military aid, to Contras. (91-4) ... 248
Nickles amendment: Strikes language prohibiting Interior Department from permitting drilling on existing leases within eastern Gulf of Mexico. (37-59) ... 249
Passage. (92-4) ... 250

INTERNATIONAL
Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) ... 229, 230, 342, 343
Intelligence Oversight (S. 1721) ... 44, 49, 51, 52
Iraqi Chemical Weapons Use (S. Res. 408) ... 201
Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) ... 183
Montana Wilderness—Untied Loans/Contra Aid (S. 2751, Pocket Vetoed) ... 377
Polygraph Protection (H.R. 1212, P.L. 100-247) ... 41
Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 364
COVERT ACTIVITY ... 44, 49, 51, 52
INTERNATIONAL BANK RESTRICTIONS... 41, 229, 230, 342, 364
PERSIAN GULF ... 201
UNTIED LOANS ... 183, 377

INTERNATIONAL NATURAL RUBBER AGREEMENT (TREATY DOC. NO. 100-9)
Adoption of resolution of ratification. (97-0)........ 313

IRAQ
Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647)........ 364

IRAQI CHEMICAL WEAPONS USE (S. RES. 408)
Adoption. (91-0)........ 201

J

JAPANESE-AMERICAN INTERNMENT (H.R. 442, P.L. 100-383)
Byrd motion: Sergeant at Arms to request attendance. (73-22)........ 101
Stevens motion to table Hecht amendment: Strikes provisions providing individual payments to U.S. citizens and resident aliens of Japanese ancestry who were interned during World War II and to compensate surviving Aleuts for losses during evacuation. (67-30)........ 102
Matsunaga motion to table Helms amendment: Prohibits restitution payments under Act in any year having budget deficit. (61-35)........ 103
Stevens motion to table Helms amendment: Prohibits restitution payments to Japanese-Americans who were interned during World War II, until Japan has fairly compensated families of persons killed at Pearl Harbor. (91-4)........ 104
Passage. (69-27)........ 105

JAPAN-U.S. AGREEMENT ON NUCLEAR ENERGY USES (S.J. RES. 241, REJECTED)
Byrd motion to proceed to consideration of joint disapproval resolution. (41-40)........ 65
Passage (rejected). (30-53)........ 66

JUDICIARY
Fair Housing (H.R. 1158, P.L. 100-430)........ 280
Nomination of Anthony M. Kennedy to be Associate Justice of Supreme Court........ 16

K

KENNEDY, ANTHONY M.
Nomination of Anthony M. Kennedy to be Associate Justice of Supreme Court........ 16

KOROLOGOS, TOM C.
Nomination of Tom C. Korologos to U.S. Advisory Commission on Public Diplomacy........ 25

L

LABOR
High Risk Occupational Disease Notification (S. 79)........ 73
ILO Convention No. 144—International Labor Standards (Treaty Doc. 99-20)........ 13
ILO Convention No. 147—Minimum Standards in Merchant Ships (Treaty Doc. 99-21)........ 14
Minimum Wage (S. 837)........ 335, 336
Plant Closing Notification (S. 2527, P.L. 100-379)... 197, 202, 203, 208, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225

LABOR-HHS APPROPRIATIONS, 1989 (H.R. 4783, P.L. 100-436)
Weicker motion to table Helms amendment (to Committee amendment): Strikes funding for Title X, Family Planning Services. (65-21)........ 254
Chiles motion to table Helms amendment (to Committee amendment): Prohibits funds for Title X, Family Planning, if HHS has not promulgated regulations to prohibit provision of contraceptives to unmarried minors without prior written parental consent. (54-34)........ 255
Germaneness of Cranston-Kennedy amendment: Prohibits any AIDS education program funded under this act from being designed to encourage, directly, intravenous drug abuse or homosexual sexual activity; and requires AIDS education programs to be designed to reduce exposure to, and transmission of, AIDS virus by providing accurate information and to provide information on health risks of promiscuous sexual activity and intravenous drug abuse. (56-41)........ 262

Subject — Vote Nos.

Cranston-Kennedy amendment: Prohibits any AIDS education program funded under this act from being designed to encourage, directly, intravenous drug abuse or homosexual sexual activity; and requires AIDS education programs to be designed to reduce exposure to, and transmission of, AIDS virus by providing accurate information and to provide information on health risks of promiscuous sexual activity and intravenous drug abuse. (61–37) ... 263

Chiles motion to table Helms modified amendment: Eliminates language of Cranston-Kennedy amendment (Vote No. 263) and prohibits any State from receiving funds for AIDS public education if State has not made a "good faith" effort to notify spouse married to AIDS-infected patient since December 31, 1976, that AIDS-infected spouse has AIDS. (49–48) ... 264

Weicker motion to table Cranston motion to reconsider Vote No. 264. (51–46) ... 265

Weicker motion to table Helms-Exon amendment (to Committee amendment): Prohibits HHS funds including Medicaid block grants to provide contraceptives or prescriptions therefor or abortion referrals at public schools. (48–45) ... 266

Weicker motion to table Helms amendment (to Committee amendment): Strikes language in bill which permits victim of rape or incest to receive Federally-funded abortion, and in lieu thereof requires HHS to promulgate regulations to prohibit AIDS information materials from promoting or encouraging directly homosexual sexual activities. (47–46) ... 267

Exon amendment (to Committee amendment): Makes victim of rape or incest eligible for Federally-funded abortion only if incident was reported promptly to law enforcement agency; permits payments for drugs for termination of ectopic pregnancy; and allows any State right to refuse to fund any abortion except where mother's life would be endangered if fetus were carried to term. (73–19) ... 268

Kennedy motion to table Humphrey modified amendment: Prohibits materials or programs funded by Act from promoting or encouraging homosexuality or using words stating that homosexuality is "normal," "natural," or "healthy." (15–82) ... 269

Passage. (80–16) ... 270

Chiles motion to table Weicker motion to insist on Senate amendment: Makes victim of rape or incest eligible for Federally-funded abortion only if incident is reported promptly to law enforcement agency. (44–46) ... 326

Reconsideration of Vote No. 326. (47–43) ... 327

LAWARE, JOHN P.

Nomination of John P. LaWare to Federal Reserve Board ... 290

LEGAL SERVICES CORPORATION

Commerce-State-Justice Appropriations, 1989 (H.R. 4782, P.L. 100-459) ... 260

LEGISLATIVE APPROPRIATIONS, 1989 (H.R. 4587, P.L. 100-458)

Byrd motion to bring up bill. (89–8) ... 177

Passage. (78–18) ... 178

LIE DETECTOR TESTING

Polygraph Protection (H.R. 1212, P.L. 100-247) ... 36, 37, 38, 39, 40, 43

LOBBYING—"REVOLVING DOOR" (S. 237)

Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Strikes partial exemption for attorneys. (83–0) ... 98

Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Prohibits Members of Congress from affiliating with professional corporations and receiving compensation for professional services. (81–0) ... 99

Rudman perfecting amendment (to Thurmond, et al., modified substitute amendment): Prohibits Members of Congress from converting excess campaign funds to personal use upon leaving Congress. (83–0) ... 100

M

MANASSAS BATTLEFIELD

Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 361

MASS TRANSIT

Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 358

Subject — Vote Nos.

MEDICARE CATASTROPHIC ILLNESS COVERAGE (H.R. 2470, P.L. 100-360)
Adoption of conference report. (86-11) ... 170

MEXICO ANTI-DRUG EFFORT CERTIFICATION (S.J. RES. 268)
Passage. (63-27) ... 97

MILITARY
Defense Authorization, 1989 (H.R. 4264, Vetoed)... 121, 122, 123, 124, 125, 126, 128, 129, 132, 133, 134, 135, 136, 137, 138, 139, 140, 251, 252
Defense Authorization, 1989 (H.R. 4481, P.L. 100-456) ... 340
DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463)... 295, 296, 306, 307, 308, 346, 347
Military Base Closings (S. 2749, P.L. 100-526) ... 367
Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) ... 184
Supplemental Appropriations, 1988 (H.R. 5026, P.L. 100-393) ... 292
Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 353
ABM SUBLIMITS ... 129
AEGIS ... 295
AIRCRAFT CARRIER LEVEL ... 135
ALCOHOL ON BASES ... 121
BASE CLOSING COMMISSION ... 122, 367
BUY AMERICA ... 132, 138
COAL PURCHASE ... 132, 138, 353
DEPENDENTS OVERSEAS CUT ... 307
DRUG ARREST AUTHORITY ... 139
EARMARKED UNIVERSITY RESEARCH ... 347
IMPACT AID TO SCHOOLS ... 123
IN-STATE PURCHASE OF ALCOHOL ... 121
INTERIM RESTRAINT ... 129, 346
MX ... 133
PAY RAISE ... 292
PERSIAN GULF ... 134
POSSE COMITATUS ... 139
SDI FUNDING ... 124, 125, 126, 128, 137, 296
SDI/ALPS ... 136
SHIPBUILDING ... 140

MILITARY BASE CLOSINGS (S. 2749, P.L. 100-526)
Adoption of conference report. (82-7) ... 367

MILITARY CONSTRUCTION APPROPRIATIONS, 1989 (H.R. 4586, P.L. 100-447)
Byrd motion to bring up bill. (97-1) ... 182
Sasser-Bradley-Graham amendment: States sense of Senate that, during Toronto Economic Summit, President should consult with allied leaders on impact on western security of tied and untied loans, trade credits, direct investments, joint ventures, lines of credit, and guarantees or other subsidies to Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, or Nicaragua. (96-0) ... 183
Passage. (93-2) ... 184

MINIMUM WAGE (S. 837)
Byrd motion to proceed to consideration of bill. (87-7) ... 330
Byrd motion: Sergeant at Arms to request attendance. (80-15) ... 334
Kennedy, et al., cloture motion on committee substitute amendment for bill. (53-43) ... 335
Kennedy, et al, second cloture motion on committee substitute amendment for bill. (56-35) ... 336

MINORITY BUSINESS DEVELOPMENT (H.R. 1807, P.L. 100-656)
Passage. (92-0) ... 227

MONEY LAUNDERING
Drug Abuse (H.R. 5210, P.L. 100-690) ... 374

MONTANA WILDERNESS—UNTIED LOANS/CONTRA AID (S. 2751, POCKET VETOED)
Symms amendment: States sense of Senate that Secretaries of State, Treasury, Defense, and Commerce should consult immediately with allied governments on impact on Western security of various types of private and public sector credit flows and debt reschedulings to Soviet Union, Warsaw Pact countries, Cuba, Vietnam, Libya, and Nicaragua; calls for multilateral voluntary initiative to end untied loans to these countries for both national security and prudent commercial banking reasons. (64-2) ... 377

Subject Vote Nos.

Pell motion to table McCain modified amendment: States sense of Senate that Senate condemns continued suppression of human rights and blatant violations of Esquipulas II Accord by Sandinistas; U.S. should continue efforts to strengthen internal democratic opposition and independent media by reaffirming its support of humanitarian assistance to Contras; and continued violations of Accord will very likely result in additional military assistance to Contras. (12–54) 378

N

NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1989–93 (H.R. 4418, P.L. 100–570)

Passage. (88–1) 191

NATO

INF Treaty (Treaty Doc. No. 100–11) 151

NICARAGUA

Contra Aid (H.J. Res. 523, P.L. 100-276) 83
Contra Aid (S.J. Res. 243) 18
Defense Authorization, 1989 (H.R. 4264, Vetoed) 131
Montana Wilderness—Untied Loans/Contra Aid (S. 2751, Pocket Vetoed) 378

NOMINATION OF ANTHONY M. KENNEDY TO BE ASSOCIATE JUSTICE OF SUPREME COURT

Confirmation. (97–0) 16

NOMINATION OF HENRY F. COOPER TO BE AMBASSADOR AS U.S. NEGOTIATOR FOR DEFENSE AND SPACE ARMS

Confirmation. (71–0) 205

NOMINATION OF JOHN P. LAWARE TO FEDERAL RESERVE BOARD

Confirmation. (90–3) 290

NOMINATION OF KAREN B. PHILLIPS TO ICC

Confirmation. (71–24) 302

NOMINATION OF LAURO F. CAVAZOS TO BE SECRETARY OF EDUCATION

Confirmation. (94–0) 333

NOMINATION OF NICHOLAS F. BRADY TO BE SECRETARY OF TREASURY

Confirmation. (92–2) 328

NOMINATION OF RICHARD L. THORNBURGH TO BE ATTORNEY GENERAL

Confirmation. (85–0) 310

NOMINATION OF TIMOTHY TOWELL TO BE AMBASSADOR TO PARAGUAY

Confirmation. (88–0) 274

NOMINATION OF TOM C. KOROLOGOS TO U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Byrd motion to proceed to executive session to consider nomination. (64–0) 25

NOMINATION OF WILLIAM F. BURNS TO BE DIRECTOR OF ACDA

Confirmation. (83–0) 45

NOMINATIONS

Nomination of Anthony M. Kennedy to be Associate Justice of Supreme Court 16
Nomination of Henry F. Cooper to be Ambassador as U.S. Negotiator for Defense and Space Arms 205
Nomination of John P. LaWare to Federal Reserve Board 290
Nomination of Karen B. Phillips to ICC 302
Nomination of Lauro F. Cavazos to be Secretary of Education 333
Nomination of Nicholas F. Brady to be Secretary of Treasury 328
Nomination of Richard L. Thornburgh to be Attorney General 310
Nomination of Timothy Towell to be Ambassador to Paraguay 274
Nomination of Tom C. Korologos to U.S. Advisory Commission on Public Diplomacy 25

Subject — Vote Nos.

NOMINATIONS—Continued
  Nomination of William F. Burns to be Director of ACDA 45

NUCLEAR ACCIDENT CONVENTIONS (TREATY DOC. NO. 100-4)
Adoption of resolution of ratification. (97-0) 311

NUCLEAR ENERGY
  Defense Authorization, 1989 (H.R. 4264, Vetoed) 130
  Energy-Water Appropriations, 1989 (H.R. 4567, P.L. 100-371) 180
  Japan-U.S. Agreement on Nuclear Energy Uses (S.J. Res. 241, Rejected) 65, 66
  Nuclear Regulation Reorganization (H.R. 1315) 298, 299
  Price-Anderson Nuclear Indemnification (H.R. 1414, P.L. 100-408) 54, 55, 56, 57, 58, 59, 60, 61, 62, 63
  Uranium Enrichment (S. 2097) 80, 81
    COMPENSATION TO ACCIDENT VICTIMS 56
    CONTRACTOR NEGLIGENCE LIABILITY 55
    CONTRACTOR SAFETY VIOLATIONS 54
    HEALTH SAFETY FOR DOE WORKERS 59, 60, 61, 62, 63
    JAPANESE NUCLEAR SPENT FUEL 65, 66
    NEVADA WASTE SITE 180
    NUCLEAR UNDERGROUND TESTING FREEZE 130
    TWENTY-YEAR INDEMNITY 57, 58
    URANIUM IMPORTS 80, 81, 298

NUCLEAR REGULATION REORGANIZATION (H.R. 1315)
Ford-Domenici-Johnston, et al., amendment: Substitutes government purchase program of domestic uranium in lieu of imposing fees on foreign uranium used in domestic reactors; establishes Uranium Revitalization Fund for tailings reclamation and domestic uranium purchases; capitalizes Fund from fees imposed on public utilities and domestic uranium industry and from income earned by Corporation. (78-17) 298
Passage. (89-6) 299

NUCLEAR UNDERGROUND TESTING FREEZE
  Defense Authorization, 1989 (H.R. 4264, Vetoed) 130

O

OCEAN DUMPING REFORM (S. 2030, P.L. 100-688)
Passage. (97-0) 300

OPIC
  Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) 343

OZONE DEPLETING SUBSTANCES PROTOCOL (TREATY DOC. 100-10)
Byrd motion to proceed to executive session to consider Treaty. (82-1) 46
Adoption of resolution of ratification. (83-0) 47

P

PAKISTAN
  President Zia of Pakistan (S. Res. 468) 325

PANAMA
  Defense Authorization, 1989 (H.R. 4264, Vetoed) 143, 144
  Panama—Economic Sanctions (S. Res. 403) 84
  Panamanian Democracy (S. Con. Res. 108) 74

PANAMA—ECONOMIC SANCTIONS (S. RES. 403)
Adoption. (92-1) 84

PANAMANIAN DEMOCRACY (S. CON. RES. 108)
Adoption. (92-0) 74

Subject Vote Nos.

PARENTAL LEAVE (S. 2488)

Thurmond, et al., modified amendment (to second committee amendment): Clarifies that current prohibitions on advertisement of child pornography apply to computer advertisements; prohibits buying and selling children for use in child pornography; requires producers of sexually explicit material to document ages of persons appearing in material; creates new offense which prohibits certain businesspersons from receiving or possessing, with intent to sell, obscene matter which has moved in interstate or foreign commerce; makes it illegal to sell or possess obscene material or child pornography on Federal lands; increases penalty for obscene Dial-A-Porn violations; and makes it illegal to provide obscene programming on cable and subscription television services. (97-0) 339

Byrd motion to table Dole motion to postpone further consideration until October 6. (52-42) 344

Reid, et al., cloture motion on Byrd motion to recommit bill to Labor Committee with instructions to report back forthwith with substitute amendment containing provisions dealing with parental leave, child pornography, and child care. (85-6) 349

Adams, et al., cloture motion on committee substitute amendment for bill. (50-46) 355

PERSIAN GULF

Defense Authorization, 1989 (H.R. 4264, Vetoed) 134
Iraqi Chemical Weapons Use (S. Res. 408) 201
Persian Gulf/War Powers (S.J. Res. 305) 168

PERSIAN GULF/WAR POWERS (S.J. RES. 305)

Byrd point of order that resolution is not privileged under War Powers Resolution. (54-31) 168

PHILLIPS, KAREN B.

Nomination of Karen B. Phillips to ICC 302

PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)

Dole motion to table Byrd motion to bring up bill. (30-61) 197
Byrd motion to bring up bill—Vote No. 198. (64-29) 198
Byrd motion: Sergeant at Arms to request attendance. (72-20) 200

Metzenbaum motion to table Quayle modified amendment: Provides complete defense for any action brought for noncompliance if employer has paid, within 3 weeks of shutdown or layoff, an amount equal to higher of employee's final rate of pay or final 3-year average for each day for which notice was not provided. (59-31) 202

Metzenbaum motion to table Thurmond-Hatch, et al, amendment: Applies Hobbs Act (Federal extortion statute) to cases of labor violence. (60-27) 203

Metzenbaum motion to table Kassebaum-Dole, et al, amendment (as substitute for bill): Requires 60-day notice prior to any plant closing involving employment loss of at least 50 employees and does not require notice for plant layoffs regardless of number of workers affected or duration of layoff. (64-32) 208

Metezenbaum motion to table Hatch amendment: States that nothing in Act shall require employer to serve written 60-day notice when permanently replacing person deemed to be economic striker under National Labor Relations Act. (53-37) 209

Proxmire motion to table Gramm amendment: Exempts banks and savings and loans that in judgment of FDIC or FHLBB, respectively, are in danger of closing. (63-29) 210

Hatch-Metzenbaum amendment: Adds language that employer is not required to serve written notice when permanently replacing economic striker provided that nothing in Act shall be deemed to validate or invalidate any judicial or administrative ruling relating to hiring of permanent replacements under National Labor Relations Act. (91-0) 212

Metzenbaum motion to table Quayle amendment: Exempts employer from requirement to serve notice if plant closing or mass layoff is due, directly or indirectly, to strike. (60-37) 213

Metzenbaum motion to table Domenici amendment (as substitute for bill): Eliminates requirement for 60 days notice for all mass layoffs except those caused by hostile takeovers. (62-34) 214

Hatch amendment: Adds clarification that mailing of notice to employee's last known address or inclusion in paycheck will be considered acceptable methods for giving notice of plant closing or mass layoff. (95-0) 215

Hatch modified amendment: Clarifies that employees will receive notice of plant closing or mass layoff that occurs incident to sale of business, from either seller or purchaser. (97-0) 216

Hatch amendment: Makes technical clarifications and conforms attorneys' fees provision to existing statutes. (97-0) 217

Subject — Vote Nos.

PLANT CLOSING NOTIFICATION (S. 2527, P.L. 100-379)—Continued
  Dole amendment: Provides that no notice shall be required if plant closing or mass layoff is due to natural disaster. (95-0) ... 218
  Metzenbaum motion to table Gramm amendment: Permits employer to close plant or lay off workers before 60-day notification period has elapsed if 50 percent of employees voluntarily terminate their employment. (59-34) ... 219
  Byrd motion: Sergeant at Arms to request attendance. (79-18) ... 220
  Metzenbaum, et al, cloture motion on bill. (58-39) ... 221
  Reid, et al, second cloture motion on bill. (88-5) ... 222
  Metzenbaum motion to table Wilson amendment: Exempts from advance notification plant closings and mass layoffs caused by inability of employer to obtain, at competitive cost, sufficient supplies of materials required in manufacturing products or in providing services. (58-37) ... 223
  Metzenbaum motion to table Quayle amendment: Makes advance notification applicable to plant closings which result in unemployment of minimum of 75 employees and to mass layoffs which affect one-half of workforce. (63-32) ... 224
  Passage. (72-23) ... 225

POLYGRAPH PROTECTION (H.R. 1212, P.L. 100-247)
  Byrd motion to proceed to consideration of bill. (74-19) ... 33
  Byrd motion: Sergeant at Arms to request attendance. (67-27) ... 34
  Quayle modified amendment: Stipulates that nothing in Act precludes employer from administering scientifically valid test, other than lie detector test, to determine extent to which prospective employee may have used controlled substance. (96-0) ... 35
  Kennedy motion to table Thurmond amendment: Permits private employer to use lie detector test on prospective security personnel. (20-76) ... 36
  Kennedy motion to table Boschwitz amendment: Permits employer to administer lie detector test to employee who requests testing. (56-38) ... 37
  Kennedy motion to table Gramm amendment: Permits use of lie detector tests on employees or prospective employees of any common carrier, including any air transport. (55-37) ... 38
  Kennedy motion to table Cochran substitute amendment: Permits States that currently allow use of polygraph tests to continue usage if they satisfy testing standards established by Secretary of Labor. (65-29) ... 39
  Kennedy motion to table Gramm amendment: Permits any employer to administer polygraph test to employee or prospective employee if test is administered in accordance with DOD procedures. (57-35) ... 40
  Dodd motion to table Metzenbaum, et al., amendment: Expresses sense of Senate that proposed World Bank loan to Mexico for its steel industry is not in best interests of U.S. and World Bank should reject loan. (45-48) ... 41
  Byrd, et al., cloture motion on committee substitute for bill. (77-19) ... 42
  Passage. (69-27) ... 43
  Adoption of conference report. (68-24) ... 173

POSSE COMITATUS
    Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 139

POSTAL SERVICE
    First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 87

PRESIDENT ZIA OF PAKISTAN (S. RES. 468)
  Adoption. (85-0) ... 325

PRICE-ANDERSON NUCLEAR INDEMNIFICATION (H.R. 1414, P.L. 100-408)
  Byrd motion: Sergeant at Arms to request attendance. (71-24) ... 53
  Johnston-Metzenbaum modified amendment: Establishes $100,000 civil penalty for violations of any DOE regulation by nuclear contractors and criminal penalty of $25,000 and/or two years in prison for knowing and willful violations of any nuclear safety-related rule by any director, officer, or employee. (94-0) ... 54
  Johnston motion to table Metzenbaum, et al., amendment, as amended by Bumpers perfecting amendment: Requires Attorney General to sue to recover contract award fee (profit) paid to DOE-indemnified nuclear contractor, if nuclear incident resulted from contractor's gross negligence or willful misconduct. (53-41) ... 55

Subject — Vote Nos.

Breaux-Burdick-Stafford amendment: Provides up to $7 billion in Federal indemnification in event of commercial nuclear power plant accident to be paid only after commercial utility has paid $7 billion in damages. (21-72) ... 56
Breaux amendment (as substitute for McClure amendment): Extends Act for 20 years instead of 30 years. (50-34) ... 57
McClure amendment (as amended by Breaux substitute amendment—Vote No. 57): Extends Act for 20 years instead of 10 years. (45-36) ... 58
Johnston motion to table Glenn amendment: Creates independent Defense Safety Review Board to oversee DOE health and safety practices and establishes Radiation Study Advisory Board to advise and assist DOE in researching health effects of ionizing radiation. (44-47) ... 59
Glenn motion to table Johnston motion to reconsider Vote No. 59. (43-48) ... 60
Johnston motion to reconsider Vote No. 59. (46-44) ... 61
Reconsideration of Vote No. 59. (48-43) ... 62
Johnston motion to table Glenn motion to reconsider Vote No. 62. (49-42) ... 63

PRODUCT LIABILITY
High Risk Occupational Disease Notification (S. 79) ... 70

PROMPT PAYMENTS (S. 328, P.L. 100-496)
Sasser motion to table Grassley-Armstrong amendment (to House amendment): Establishes 15-member Presidential Advisory Panel for Coordination of Government Debt Collection. (54-33) ... 337

R

RETAIL COMPETITION ENFORCEMENT (S. 430)
Byrd motion to bring up bill. (62-28) ... 196

ROMANIAN HUMAN RIGHTS (S. RES. 461)
Adoption of resolution condemning Romania for human rights abuses, particularly its plan to raze agricultural villages in traditionally Hungarian areas. (93-0) ... 309

S

SCHOOL PRAYER
Fair Housing (H.R. 1158, P.L. 100-430) ... 280

SECURITIES AND EXCHANGE COMMISSION
Corporate Takeovers (S. 1323) ... 187

SENATE
Committee Funding (S. Res. 381) ... 31

SENATE PROCEDURAL VOTES (See also CLOTURE and BUDGET WAIVERS)
Agriculture Appropriations, 1989 (H.R. 4784, P.L. 100-460) ... 275
Campaign Financing Reform (S. 2)... 19, 20, 21, 22, 23, 24, 26, 27, 28, 29
Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) ... 6
Commerce-State-Justice Appropriations, 1989 (H.R. 4782, P.L. 100-459) ... 259
Constitutional Amendment on Campaign Contributions (S.J. Res. 282) ... 106
Contra Aid (S.J. Res. 243) ... 17
Corporate Takeovers (S. 1323) ... 187
D.C. Appropriations, 1989 (H.R. 4776, P.L. 100-462) ... 234, 235
Defense Authorization, 1989 (H.R. 4264, Vetoed) ... 126, 127, 128
DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463) ... 293, 303
Endangered Species (H.R. 1467, P.L. 100-478) ... 253
Energy-Water Appropriations, 1989 (H.R. 4567, P.L. 100-371) ... 179, 180
First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 85
High Risk Occupational Disease Notification (S. 79) ... 72, 76
Immigration Amnesty Extension (H.R. 4222) ... 116
INF Treaty (Treaty Doc. No. 100-11) ... 145
Japanese-American Internment (H.R. 442, P.L. 100-383) ... 101
Japan-U.S. Agreement on Nuclear Energy Uses (S.J. Res. 241, Rejected) ... 65
Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) ... 262, 265, 327

Subject | Vote Nos.

SENATE PROCEDURAL VOTES (See also CLOTURE and BUDGET WAIVERS)—Continued
- Legislative Appropriations, 1989 (H.R. 4587, P.L. 100-458) 177
- Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) 182
- Minimum Wage (S. 837) 330, 334
- Nomination of Tom C. Korologos to U.S. Advisory Commission on Public Diplomacy 25
- Ozone Depleting Substances Protocol (Treaty Doc. 100-10) 46
- Parental Leave (S. 2488) 344
- Persian Gulf/War Powers (S.J. Res. 305) 168
- Plant Closing Notification (S. 2527, P.L. 100-379) 197, 198, 200, 220
- Polygraph Protection (H.R. 1212, P.L. 100-247) 33, 34
- Price-Anderson Nuclear Indemnification (H.R. 1414, P.L. 100-408) 53, 60, 61, 62, 63
- Retail Competition Enforcement (S. 430) 196
- Senate Procedure 1, 2
- Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) 206
  - ATTENDANCE MOTIONS 1, 2, 6, 19, 20, 21, 22, 24, 26, 27, 28, 34, 53, 72, 76, 101, 127, 200, 220, 259, 275, 303, 334
  - ATTENDANCE—ARREST OF ABSENTEES 23, 29
  - CHAIR SUSTAINED 180, 206, 234
  - GERMANENESS 262
  - LEGISLATION ON APPROPRIATION 180, 206, 234
  - MOTIONS TO POSTPONE 344
  - MOTIONS TO PROCEED 17, 25, 33, 46, 65, 85, 116, 177, 179, 182, 187, 196, 197, 198, 253, 293, 330
  - MOTIONS TO RECOMMIT 106
  - MOTIONS TO RECONSIDER 29, 60, 61, 63, 126, 128, 235, 265
  - POINTS OF ORDER SUSTAINED 168
  - POINTS OF ORDER TABLED 145
  - RECONSIDERATION 62, 327

SENATE PROCEDURE
- Byrd motion: Sergeant at Arms to request attendance. (73-5) 1
- Byrd motion: Sergeant at Arms to request attendance. (76-15) 2

SOCIAL SERVICES (See also HEALTH, WIC, and WOMEN)
- Hunger Prevention/TEFAP (S. 2560, P.L. 100-435) 256, 257
- Welfare Overhaul/Workfare (H.R. 1720, P.L. 100-485) 188, 189
- Work Incentive (WIN) Program Extension (H.R. 4731, P.L. 100-364) 211

SOVIET ABM TREATY VIOLATIONS (S. RES. 474)
- Adoption. (81-0) 331

SOVIET UNION (See also ARMS CONTROL)
- Afghanistan Resolution (S. Res. 386) 32
- Bering Sea Fishing (S. Res. 396) 64
- Defense Authorization, 1989 (H.R. 4264, Vetoed) 141, 143
- DOD Appropriations, 1989 (H.R. 4781, P.L. 100-463) 346
- Military Construction Appropriations, 1989 (H.R. 4586, P.L. 100-447) 183
- Montana Wilderness—Untied Loans/Contra Aid (S. 2751, Pocket Vetoed) 377
- Polygraph Protection (H.R. 1212, P.L. 100-247) 41
- Trade and Competitiveness Act (H.R. 4848, P.L. 100-418) 284, 286
- Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) 206
  - AFGHANISTAN 32, 41
  - IMMIGRATION/FUR IMPORT BARRIER 284
  - MFN STATUS/HELSINKI ACCORDS 206, 286
  - PANAMA, AID TO 143
  - UNTIED LOANS/CREDITS 183, 377

SPACE RESEARCH
- Defense Authorization, 1989 (H.R. 4264, Vetoed) 125, 126, 128

START
- INF Treaty (Treaty Doc. No. 100-11) 154, 159, 161, 165

SUPER COLLIDER
- First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) 93

Subject Vote Nos.

SUPPLEMENTAL APPROPRIATIONS, 1988 (H.R. 5026, P.L. 100-393)

Cranston motion to waive Budget Act to allow consideration of Cranston-DeConcini-Murkowski amendment: Provides $233.3 million to meet expenditures required by law for FY 1988 VA compensation COLA and veterans health-care entitlements. (89-5)........ 291

Warner amendment: Expresses sense of Senate that Congress should expeditiously pass 4.1 percent military pay raise effective January 1, 1989, and 7.0 percent raise for quarters allowance. (91-1)........ 292

Byrd motion to table Dole, et al., amendment: Provides $27.4 million in humanitarian assistance to Nicaraguan Contras for civic action, and non-military training and human rights programs; authorizes immediate release of $16 million in lethal aid; authorizes exchange of more-needed lethal items for less-needed lethal items of equal value; permits President to designate CIA as mode of delivering aid; eliminates prohibition on U.S. personnel being in 20-mile zone parallelling Nicaraguan land borders; and sets forth economic incentives for Nicaraguan government to establish democracy, including termination of trade embargo and $10 million in relocation assistance for Nicaraguan Contras. (57-39)........ 304

T

TAX REFORM TECHNICAL CORRECTIONS (H.R. 4333, P.L. 100-647)

Kennedy-Metzenbaum, et al., amendment: Exempts from individual gross income interest from U.S. savings bonds paid for college tuition and phases out tax exemption when income reaches $60,000 to $80,000. (94-0)........ 351

Humphrey motion to table Humphrey, et al., amendment: Denies tax-exempt status to any organization receiving more than one percent of its gross receipts from performing abortions except in cases where life of mother would be endangered if fetus were carried to term. (56-39)........ 352

Gramm motion to recommit bill with instructions to report back forthwith with Committee substitute amendment, as amended, with Gramm amendment: Cuts EDA, Legal Services Corporation, Amtrak, Low-Income Energy Assistance, and coal for Defense Stock Fund to fund drug program. (22-72)........ 353

Baucus motion to table Rudman amendment: Increases tax on cigarettes, liquor, wines, and beer to fund drug program. (60-33)........ 354

DeConcini, et al., amendment: Expresses sense of Senate that Senate conferees should oppose any restrictions on use of tax-exempt bonds by nonprofit organizations building residential rental property. (88-0)........ 356

Evans motion to table Evans-Cranston-Durenberger modified perfecting amendment (to Cranston-Evans-Durenberger amendment): Establishes Commission on Compensation Equity to study whether wage discrimination against minority and female employees exists in the Federal pay and classification system and requires study to include both job content (comparable worth) analysis and economic analysis. (14-72) (Amendment fell when underlying amendment was withdrawn.)........ 357

Riegle motion to table D'Amato, et al., amendment: Increases limit on tax-free employer-provided mass transit fringe benefits from $15 per month to $38 per month offset by doubling gas guzzler tax on automobiles that achieve less than 22.5 miles per gallon. (43-41)........ 358

Cranston motion to table Cranston perfecting amendment (to Bradley amendment): Repeals restriction in D.C. appropriations bill that prohibits use of D.C. funds to pay for abortions except where life of mother is endangered. (40-43) (Amendment fell when underlying amendment was withdrawn.)........ 359

Inouye motion to table Gore amendment: Adds text of S. 889, Satellite Television Fair Marketing Act. (43-36)........ 360

Bumpers substitute amendment (for Warner amendment): Adds 542 acres to Manassas National Battlefield Park to protect area from development. (50-25)........ 361

Baucus motion to table Bradley amendment: Increases earned income tax credit for low-income individuals from 14 to 15 percent, maximum credit from $875 to $978, and income phaseout level credit from $19,400 to $19,820; and offsets $1.6 billion revenue loss by deleting most revenue-losing provisions of committee substitute. (85-2)........ 362

Subject Vote Nos.

TAX REFORM TECHNICAL CORRECTIONS (H.R. 4333, P.L. 100-647)—Continued
- Baucus motion to table Bradley amendment: Strikes most revenue-losing provisions of Committee substitute and allocates approximately $1.6 billion to be saved over three years for drug program. (82-5) ... 363
- Pell-Helms amendment: Imposes immediate sanctions against Iraq for use of chemical weapons that (1) prohibit export to Iraq of items on munitions control list and items controlled for national security, and (2) require U.S. to oppose international financial institution loans to Iraq. (87-0) ... 364
- Daschle-Dole substitute amendment (for Melcher amendment): Clarifies that 1988 crop disaster payments can be counted as income for 1989 and offsets cost by permitting U.S. to collect estate tax from foreign spouse of deceased U.S. citizen. (87-1) ... 365
- Passage. (87-1) ... 366

TAXATION
- Drought Assistance (H.R. 5015, P.L. 100-387) ... 272
- First Budget Resolution, FY 1989 (H. Con. Res. 268, Action Completed) ... 94
- Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 351, 352, 353, 354, 356, 358, 362, 363, 365, 366
- Treasury-Postal Service Appropriations, 1989 (H.R. 4775, P.L. 100-440) ... 204
  - CAPITAL GAINS INDEXING ... 94
  - CROP DISASTER AID ... 365
  - DIESEL FUEL/EXCISE TAX ... 272
  - DRUG PROGRAM FUNDING ... 353, 354, 363
  - EDUCATION SAVINGS BOND ... 351
  - EXCISE TAX INCREASES ... 354
  - GAS GUZZLERS ... 358
  - LOW-INCOME CREDIT ... 362
  - TAX-EXEMPT BONDS ... 356
  - TAX-EXEMPT CERTIFICATION ... 204
  - TAX-EXEMPT STATUS HOSPITALS ... 352

TELEVISION
- Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 360

TEXTILE, APPAREL, AND FOOTWEAR TRADE (H.R. 1154, VETOED)
- Passage. (59-36) ... 329

TEXTILE, APPAREL, AND FOOTWEAR TRADE (S. 2662)
- Hollings, et al., cloture motion on bill. (68-29) ... 314
- Hollings motion to table Gramm point of order that consideration of bill violates Constitution which requires that all revenue raising bills must originate in House. (71-24) ... 315
- Hollings motion to table Packwood amendment: Makes annual import quotas on each category of textiles and textile products inapplicable if Secretary of Commerce determines that average return on assets of U.S. textile and textile product manufacturers for preceding calendar year exceeded national average return on assets of all U.S. manufacturing industries. (62-34) ... 316
- Hollings motion to table Gramm amendment: Allows President to suspend application of import limitations if he determines they would impose proportionately greater economic burden on poor. (60-34) ... 317
- Hollings motion to table Division L of Evans amendment: Exempts from import limitations those countries that purchased more U.S.-produced textiles and textile products than they exported to U.S. (59-31) ... 318
- Hollings motion to table Gramm amendment: Exempts coveralls, uniforms, workshoes, and workboots from import limitation. (62-28) ... 319
- Hollings motion to table Gramm amendment: Permits President, after consulting with USTR, to exempt from import quotas any country that imposes lower tariffs and quotas on U.S. exports than those imposed on country's exports to U.S. (68-26) ... 320
- Cohen motion to table Packwood amendment: Exempts athletic footwear from footwear quotas. (66-28) ... 321
- Hollings motion to table Graham amendment: Exempts Caribbean Basin Initiative countries from import limitations. (59-34) ... 322
- Cohen motion to table Chafee amendment (as substitute for bill): Strikes nonrubber footwear from list of regulated imports. (63-26) ... 323
- Passage. (57-32) ... 324

THORNBURGH, RICHARD L.
- Nomination of Richard L. Thornburgh to be Attorney General ... 310

Subject — Vote Nos.

TOWELL, TIMOTHY L.
  Nomination of Timothy Towell to be Ambassador to Paraguay 274

TRADE
  Canada-U.S. Free Trade Agreement (H.R. 5090, P.L. 100-449) 332
  Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) 364
  Textile, Apparel, and Footwear Trade (H.R. 1154, Vetoed) 329
  Textile, Apparel, and Footwear Trade (S. 2662)... 315, 316, 317, 318, 319, 320, 321, 322, 323, 324

TRADE AND COMPETITIVENESS ACT (H.R. 3, VETOED)
  Adoption of conference report. (63-36) 110
  Reconsideration of vetoed bill. (61-37) 169

TRADE AND COMPETITIVENESS ACT (H.R. 4848, P.L. 100-418)
  Bentsen motion to table Durenberger, et al., amendment: Delays repeal of prohibition on Soviet fur imports until President certifies that USSR does not deny its citizens right to emigrate or that emigration practices will be relaxed and repeal of fur import prohibition will contribute to relaxed emigration practices. (64-32) 284
  Bentsen-Packwood motion to table Wallop-Hecht amendment: Strikes U.S. Trade Representative authority to determine under section 301 whether foreign trade practice requires U.S. action and requires President to act. (69-26) 285
  Bentsen-Packwood motion to table McClure amendment: Requires President to consider human rights record of any Helsinki Accords signator before extending Most-Favored-Nation status. (67-28) 286
  Bentsen-Packwood motion to table Wallop amendment: Strikes establishment of Competitiveness Policy Council. (62-33) 287
  Passage. (85-11) 288

TRANSVESTITES
  Fair Housing (H.R. 1158, P.L. 100-430) 279

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1989 (H.R. 4775, P.L. 100-440)
  Bentsen-Packwood motion to table Melcher amendment: Exempts local nonprofit senior citizen organizations that provide senior services with annual gross revenue of less than $50,000 from user fee that IRS charges for certifying that it is nonprofit and tax-exempt and offsets cost by requiring IRS to adjust fees charged to larger nonprofit organzations. (63-21) 204
  Chair ruling that McClure amendment (which requires President to consider extent to which nation—Soviet Union—has complied with humanitarian provision in Helsinki Accords before granting Most-Favored-Nation status) is legislation on appropriation and out of order. (57-24) 206
  Passage. (81-4) 207

TREATIES
  Berne Copyright Convention Implementation (H.R. 4262, P.L. 100-568) 350
  Canada-U.S. Free Trade Agreement (H.R. 5090, P.L. 100-449) 332
  IAEA Statute Amendments (Treaty Doc. No. 99-7) 312
  ILO Convention No. 144—International Labor Standards (Treaty Doc. 99-20) 13
  ILO Convention No. 147—Minimum Standards in Merchant Ships (Treaty Doc. 99-21) 14
  INF Treaty (Treaty Doc. No. 100-11)... 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166
  International Natural Rubber Agreement (Treaty Doc. No. 100-9) 313
  Nuclear Accident Conventions (Treaty Doc. No. 100-4) 311
  Ozone Depleting Substances Protocol (Treaty Doc. 100-10) 47

U

UDAG
  HUD Appropriations, 1989 (H.R. 4800, P.L. 100-404) 244

UNITED NATIONS
  Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) 228

Subject — Vote Nos.

URANIUM ENRICHMENT (S. 2097)
- Johnston motion to table Evans-Bradley-Packwood perfecting amendment (to Johnston, et al., modified amendment): Deletes charges imposed for using foreign uranium and states sense of Congress calling for investigation of impact of uranium imports on national security and economic security interests. (47-45) 80
- Passage. (62-28) 81

V

VA JUDICIAL REVIEW (S. 11, P.L. 100-687)
- Cranston motion to table Murkowski amendment (as substitute for bill): Permits judicial review of VA decisions concerning an individual's claim only in cases where lawfulness or interpretation of VA regulation is at issue. (61-36) 238
- Passage. (86-11) 239

VETERANS
- Department of Veterans Affairs (H.R. 3471, P.L. 100-527) 240, 241, 242
- Supplemental Appropriations, 1988 (H.R. 5026, P.L. 100-393) 291
- VA Judicial Review (S. 11, P.L. 100-687) 238, 239
- Veterans' Benefits (H.R. 4741) 379
- Veterans' Compensation for Atomic Exposure (H.R. 1811, P.L. 100-321) 109
- Vietnam Women Veterans Memorial (S. 2042, P.L. 100-660) 176
  - ATOMIC EXPOSURE 109
  - CABINET SECRETARY APPOINTMENT 240
  - COLA/HEALTH ENTITLEMENTS 291
  - GI BILL/FLIGHT TRAINING 379
  - JUDICIAL REVIEW 238, 239, 241
  - WOMEN'S MEMORIAL 176

VETERANS' BENEFITS (H.R. 4741)
- Murkowski motion to table Daschle, et al., amendment: Implements four-year test period to permit use of GI bill for commercial flight training. (15-47) 379

VETERANS' COMPENSATION FOR ATOMIC EXPOSURE (H.R. 1811, P.L. 100-321)
- Passage. (48-30) 109

VETOED BILLS
- Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) 67
- Defense Authorization, 1989 (H.R. 4264, Vetoed) 252
- Montana Wilderness—Untied Loans/Contra Aid (S. 2751, Pocket Vetoed) 377, 378
- Textile, Apparel, and Footwear Trade (H.R. 1154, Vetoed) 329
- Trade and Competitiveness Act (H.R. 3, Vetoed) 110, 169

VETOES OVERRIDDEN
- Civil Rights Restoration—Grove City (S. 557, Vetoed, Became P.L. 100-259, without approval) 67

VETOES SUSTAINED
- Trade and Competitiveness Act (H.R. 3, Vetoed) 169

VIETNAM WOMEN VETERANS MEMORIAL (S. 2042, P.L. 100-660)
- Passage. (96-1) 176

W

WAR POWERS
- Persian Gulf/War Powers (S.J. Res. 305) 168

WELFARE OVERHAUL/WORKFARE (H.R. 1720, P.L. 100-485)
- Moynihan motion to table Dole-Armstrong amendment: Requires that one parent in two-parent AFDC-Unemployed Parent household participate for 16 hours per week in either work supplementation or community work experience program. (41-54) 188
- Passage. (93-3) 189
- Adoption of conference report. (96-1) 341

WIC
- Agriculture Appropriations, 1989 (H.R. 4784, P.L. 100-460) 276

Subject ... Vote Nos.

WILDERNESS
  Great Smoky Mountains Wilderness (H.R. 1495) ... 192, 195

WOMEN (See also ABORTION and WIC)
  Agriculture Appropriations, 1989 (H.R. 4784, P.L. 100-460) ... 276
  Labor-HHS Appropriations, 1989 (H.R. 4783, P.L. 100-436) ... 254, 255, 266
  Tax Reform Technical Corrections (H.R. 4333, P.L. 100-647) ... 357
  Vietnam Women Veterans Memorial (S. 2042, P.L. 100-660) ... 176
    COMPARABLE WORTH/FEDERAL PAY STUDY ... 357
    FAMILY PLANNING ... 254, 255
    SCHOOL-BASED CLINICS ... 266
    WIC ... 276

WORK INCENTIVE (WIN) PROGRAM EXTENSION (H.R. 4731, P.L. 100-364)
  Passage. (97-0) ... 211

WORKFARE
  Welfare Overhaul/Workfare (H.R. 1720, P.L. 100-485) ... 188, 189, 341

WORLD BANK
  Foreign Operations Appropriations, 1989 (H.R. 4637, P.L. 100-461) ... 229, 230, 342
  Polygraph Protection (H.R. 1212, P.L. 100-247) ... 41

INDEX TO PARTY LINE VOTES

On the following votes, a majority of Senators in each party opposed a majority in the other party. No more than 6 Senators voted against the position taken by the majority of their party.

Vote Nos.

Budget Deficit/Off Budget Items.....89

Campaign Financing Reform
  Attendance Votes.....26-29
  Cloture Votes.....30, 107, 108

Contra Aid.....304, 305

Great Smoky Mountains Wilderness (Cloture Votes).....192, 195

INF Treaty (Treaty Interpretation).....160

Japan-U.S. Agreement on Nuclear Energy Uses (Motion to Proceed).....65

Minimum Wage (Cloture Vote).....335

Parental Leave/Child Care/Child Pornography.....344

Plant Closing Notification (Cloture Vote).....221

Strategic Defense Initiative (SDI).....296

Veterans Affairs Department Head.....240

BILL NUMBER INDEX TO RECORD VOTES

Senate Bills:

S. 2—Campaign Financing Reform, Vote Nos. 19-24, 26-30
S. 11—VA Judicial Review, Vote Nos. 238, 239
S. 79—High Risk Occupational Disease Notification, Vote Nos. 68-73, 75-79
S. 237—Lobbying—"Revolving Door", Vote Nos. 98-100
S. 328—Prompt Payment Act, Vote No. 337
S. 430—Retail Competition Enforcement, Vote No. 196
S. 533—See H.R. 3471
S. 557—Civil Rights Restoration—Grove City, Vote Nos. 3-12, 67
S. 675—See H.R. 1467
S. 837—Minimum Wage, Vote Nos. 330, 334-336
S. 908—Inspector General Act Amendments, Vote No. 15
S. 1009—See H.R. 442
S. 1220—Aids Information and Research, Vote Nos. 111-115, 117-120
S. 1301—Berne Copyright Convention Implementation, Vote No. 350
S. 1323—Corporate Takeovers, Vote Nos. 187, 193, 194
S. 1511—See H.R. 1720
S. 1721—Intelligence Oversight, Vote Nos. 44, 49, 51,52
S. 1886—Banking—Glass-Steagall, Vote No. 82
S. 1904—See H.R. 1212
S. 1966—Biotechnology Competitiveness, Vote No. 190
S. 2011—Veterans' Benefits, Vote No. 379
S. 2030—Ocean Dumping Reform, Vote No. 300
S. 2042—Vietnam Women Veterans Memorial, Vote No. 176
S. 2097—Uranium Revitalization , Vote Nos. 80, 81
S. 2104—Immigration Preference Reform, Vote Nos. 48, 50
S. 2238—See H.R. 4333
S. 2355—See H.R. 4264
S. 2443—See H.R. 1315
S. 2455—Death Penalty/Drug-Related Killings, Vote Nos. 171, 172, 174, 175
S. 2488—Parental Leave, Vote Nos. 339, 344, 349, 355
S. 2527—Plant Closing Notification, Vote Nos. 197, 198, 200, 202, 203, 208-210, 212-225
S. 2560—Hunger Prevention/TEFAP, Vote Nos. 256, 257
S. 2631—See H.R. 5015
S. 2662—Textile Apparel and Footwear Trade, Vote Nos. 314-324
S. 2749—Military Base Closings, Vote No. 367
S. 2751—Montana Wilderness, Vote Nos. 377, 378

Senate Concurrent Resolutions:

S. Con. Res. 63—Central American Economic Development, Vote No. 294
S. Con. Res. 108—Panamanian Democracy, Vote No. 74
S. Con. Res. 113—See H. Con. Res. 268
S. Con. Res. 135—Ethanol Production/Trade Act Enrollment Corrections, Vote No. 289

Senate Resolutions:

S. Res. 381—Committee Funding, Vote No. 31
S. Res. 386—Afghanistan Resolution, Vote No. 32
S. Res. 396—Bering Sea Fishing, Vote No. 64
S. Res. 403—Panama—Economic Sanctions, Vote No. 84
S. Res. 408—Iraqi Chemical Weapons Use, Vote No. 201
S. Res. 442—Anti-Drug Summit, Vote No. 199
S. Res. 461—Romanian Human Rights, Vote No. 309
S. Res. 468—President Zia of Pakistan, Vote No. 325
S. Res. 474—Soviet ABM Treaty Violations, Vote No. 331

Senate Joint Resolutions:

S.J. Res. 241—Japan-U.S. Agreement On Nuclear Energy Uses, Vote Nos. 65, 66
S.J. Res. 243—Contra Aid, Vote Nos. 17, 18
S.J. Res. 268—Mexico Anti-Drug Effort Certification, Vote No. 97
S.J. Res. 282—Constitutional Amendment on Campaign Contributions, Vote Nos. 106-108
S.J. Res. 292—Bahamas Anti-Drug Effort Certification, Vote No. 96
S.J. Res. 305—Persian Gulf/War Powers, Vote No. 168

House Bills:

H.R. 3—Trade And Competitiveness Act, Vote Nos. 110, 169
H.R. 442—Japanese-American Internment, Vote Nos. 101-105
H.R. 1154—Textile Apparel And Footwear Trade, Vote No. 329
H.R. 1158—Fair Housing, Vote Nos. 279-283
H.R. 1212—Polygraph Protection, Vote Nos. 33-43, 173
H.R. 1315—Nuclear Regulation Reorganization, Vote Nos. 298, 299

H.R. 1414—Price-Anderson Nuclear Indemnification, Vote Nos. 53-63

H.R. 1467—Endangered Species, Vote Nos. 253, 271

H.R. 1495—Great Smoky Mountains Wilderness, Vote Nos. 192, 195

H.R. 1720—Welfare Overhaul/Workfare, Vote Nos. 188, 189, 341

H.R. 1807—Minority Business Development, Vote No. 227

H.R. 1811—Veterans' Compensation for Nuclear Exposure, Vote No. 109

H.R. 2470—Medicare Catastrophic Illness Coverage, Vote No. 170

H.R. 3251—Bicentennial Coin/FSLIC , Vote Nos. 185, 186

H.R. 3471—Department of Veterans Affairs, Vote Nos. 240-242

H.R. 4222—Immigration Amnesty Program Extension, Vote No. 116

H.R. 4264—DOD Authorization, Vote Nos. 121-144, 251, 252

H.R. 4333—Tax Reform Technical Corrections, Vote Nos. 351-354, 356-366

H.R. 4418—National Science Foundation Authorization, Vote No. 191

H.R. 4481—DOD Authorization, 1989, Vote No. 340

H.R. 4567—Energy-Water Appropriations, 1989, Vote Nos. 179-181, 226

H.R. 4586—Military Construction Appropriations, 1989, Vote Nos. 182-184

H.R. 4587—Legislative Appropriations, 1989, Vote Nos. 177, 178

H.R. 4637—Foreign Operations Appropriations, 1989, Vote Nos. 228-231 342, 343

H.R. 4731—Work Incentive (Win) Program Extension, Vote No. 211

H.R. 4775—Treasury-Postal Service Appropriations, 1989, Vote Nos. 204, 206, 207

H.R. 4776—D.C. Appropriations, 1989, Vote Nos. 232-237, 348

H.R. 4781—DOD Appropriations, 1989, Vote Nos. 293, 295, 296, 303, 305-308, 346, 347

H.R. 4782—Commerce-State-Justice Appropriations, 1989, Vote Nos. 258-261, 338

H.R. 4783—Labor-[illegible] Appropriations, 1989, Vote Nos. 254, 255, 262-[illegible], [illegible]26, 327

H.R. 4784—Agriculture Appropriations, 1989, Vote Nos. 275-278, 345

H.R. 4794—DOT Appropriations, 1989, Vote No. 243

H.R. 4800—HUD Appropriations, 1989, Vote Nos. 244-247, 301

H.R. 4848—Trade And Competitiveness Act, Vote Nos. 284-288

H.R. 4867—Interior Appropriations, 1989, Vote Nos. 248-250

H.R. 5015—Drought Assistance, Vote Nos. 272, 273. 297

H.R. 5026—Supplemental Appropriations, 1988, Vote Nos. 291, 292, 304

H.R. 5090—Canada-U.S. Free Trade Agreement, Vote No. 332

H.R. 5210—Drug Abuse, Vote Nos. 368-376

House Concurrent Resolutions:

H. Con. Res. 268—First Budget Resolution, FY 1989, Vote Nos. 85-95, 167

House Joint Resolutions:

H.J. Res. 523—Contra Aid, Vote No. 83

Nominations:

Nomination of Nicholas F. Brady to be Secretary of the Treasury, Vote No. 328

Nomination of William F. Burns to be Director of ACDA, Vote No. 45

Nomination of Lauro F. Cavazos to be Secretary of Education, Vote No. 333

Nomination of Henry F. Cooper to be Ambassador as U.S. Negotiator for Defense and Space Arms, Vote No. 205

Nomination of Anthony M. Kennedy to be an Associate Justice of the U.S. Supreme Court, Vote No. 16

Nomination of Tom C. Korologos to the U.S. Advisory Commission on Public Diplomacy, Vote No. 25

Nomination of John P. LaWare to the Federal Reserve Board, Vote No. 290

Nomination of Karen B. Phillips to the ICC, Vote No. 302

Nomination of Richard L. Thornburgh to be Attorney General, Vote No. 310

Nomination of Timothy L. Towell to be Ambassador to Paraguay, Vote No. 274

Senate Procedure:

- Attendance, Vote Nos. 1, 2

Treaties:

- Treaty Doc. No. 99-7—International Atomic Energy Agency Statute Amendments, Vote No. 312
- Treaty Doc. No. 99-20--ILO Convention on International Labor Standards, Vote No. 13
- Treaty Doc. No. 99-21—ILO Convention on Minimum Standards In Merchant Ships, Vote No. 1
- Treaty Doc. No. 100-4—Nuclear Accident Conventions, Vote No. 311
- Treaty Doc. No. 100-9—International Natural Rubber Agreement, Vote No. 313
- Treaty Doc. No. 100-10—Ozone Depleting Substances Protocol, Vote Nos. 46, 47
- Treaty Doc. No. 100-11—INF Treaty, Vote Nos. 145, 166

94-317 (140)